

# CITY OF SAN BRUNO



567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
Fax: (650) 873-6749  
<http://www.sanbruno.ca.gov>

## STAFF

Aaron Akin, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Lisa Costa Sanders, *Acting Planning Manager*  
Tony Rozzi, *Assistant Planner*  
Laura Russell, *Assistant Planner*  
Pamela Thompson, *City Attorney*

## PLANNING COMMISSION

Rick Biasotti, *Chair*  
Bob Marshall, Jr, *Vice-Chair*  
Kevin Chase  
Mary Lou Johnson  
Perry Petersen  
Joe Sammut  
Sujendra Mishra

## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING COMMISSION AGENDA

Tuesday, June 19, 2007  
San Bruno Senior Center  
1555 Crystal Springs Road  
7:00 p.m.

#### Roll Call

#### Pledge of Allegiance

A.	Approval of Minutes	May 15, 2007	
B.	Communications		
C.	Public Comment		↓
			<b>Actions</b>
D.	Announcement of Conflict of Interest		
E.	Public Hearings		
1.	<b>752 2<sup>nd</sup> Avenue (UP-07-003)</b>  <u><b>Environmental Determination:</b></u> Categorical Exemption  <u><b>Zoning:</b></u> R-1 (Single Family Residential)	Request for a Use Permit to allow the construction of a new house which proposes a floor area ratio that exceeds the .55 guideline (.63) and proposes lot coverage that exceeds the 1,782 s.f. guideline (1,965 s.f.) per Sections 12.200.030.A.1 and 12.200.030.A.2 of the San Bruno Zoning Ordinance. Jose Casco (Applicant), Enrique Aguilar (Owner) <b>UP-07-003</b>	
2.	<b>73 Scott Street (UP-07-006)</b>  <u><b>Environmental Determination:</b></u> Categorical Exemption  <u><b>Zoning:</b></u> R-1 (Single Family Residential)	Request for a Use Permit to allow the construction of a new house with a floor area ratio that exceeds the .55 guideline (.61) per Section 12.200.030.A.1 of the San Bruno Zoning Ordinance. Jose Casco (Applicant), Praveen Charan (Owner) <b>UP-07-006</b>	

3.	<p><b>565 4<sup>th</sup> Avenue</b> <b>(UP-07-007)</b></p> <p><b><u>Environmental Determination:</u></b> Categorical Exemption</p> <p><b><u>Zoning:</u></b> R-1 (Single Family Residential)</p>	<p>Request for a Use Permit to allow the construction of an addition which increases the gross floor area by greater than 50% (81%) and proposes lot coverage that exceeds the 2,200 s.f. guideline (2,260 s.f.) per Sections 12.200.030.B.1 and 12.200.030.B.3 of the San Bruno Zoning Ordinance. Jim Garcia (Applicant), Angelica Gonzalez (Owner) <b>UP-07-007</b></p>	
4.	<p><b>1750 Holly Avenue</b> <b>(UP-07-015)</b></p> <p><b><u>Environmental Determination:</u></b> Categorical Exemption</p> <p><b><u>Zoning:</u></b> R-1 (Single Family Residential)</p>	<p>Request for a Use Permit to allow the construction of an addition which increases the gross floor area by greater than 50% (105%), proposes to exceed the allowable lot coverage guideline of .44 (.45); and proposes a second story whose front plane is not set at least five feet further than the front setback of the first story (3'-0") per Sections 12.200.030.B.1, 12.200.030.B.3 and 12.200.040.B.2 of the San Bruno Zoning Ordinance. Robert Medan (Applicant), Charles Magee (Owner) <b>UP-07-015</b></p>	
5.	<p><b>130 Arbor Court</b> <b>(UP-07-011)</b></p> <p><b><u>Environmental Determination:</u></b> Categorical Exemption</p> <p><b><u>Zoning:</u></b> R-1 (Single Family Residential)</p>	<p>Request for a Conditional Use Permit to construct a wireless telecommunications facility within a residential zoning district and permit the structure to exceed the height limits for the district in which it is located up to fifty feet per Sections 12.220 and 12.84.160 of the San Bruno Zoning Ordinance. T-Mobile (Applicant), City of San Bruno (Owner) <b>UP-07-011</b></p>	
6.	<p><b>751 Kains Avenue</b> <b>(UP-07-019)</b></p> <p><b><u>Environmental Determination:</u></b> Categorical Exemption</p> <p><b><u>Zoning:</u></b> C-N (Neighborhood Commercial District)</p>	<p>Request for a Use Permit to allow a vehicle storage lot for a Motor vehicle dealer at the subject site per Section 12.96.110.C.8 of the San Bruno Zoning Ordinance. Melody Toyota (Applicant), GW Williams (Owner). <b>UP-07-019</b></p>	
7.	<p><b>601 El Camino Real</b> <b>(UP-07-020)</b></p> <p><b><u>Environmental Determination:</u></b> Categorical Exemption</p> <p><b><u>Zoning:</u></b></p>	<p>Request for a Use Permit to allow a Motor vehicle dealer in a commercial zoning district per Section 12.96.110.C.8 of the San Bruno Zoning Ordinance. Lance Metekel (Applicant), Welch Family Patnership (Owner). <b>UP-07-020</b></p>	

	C-N (Neighborhood Commercial District)		
8.	<b>Ordinance Amending Section 12.128.010 time limits</b>  <u><b>Environmental Determination:</b></u> Categorical Exemption	An Ordinance of the City of San Bruno amending section 12.128.010 pertaining to time limits of various land use permits for internal consistency with chapter 11.34 Time limits for completion of construction	
F.	<b>Discussion</b>		
1.	<b>City Staff Discussion</b>	Select July 12, 2007 Architectural Review Committee Members.	
2.	<b>Planning Commission Discussion</b>		
G.	<b>Adjournment</b>		

*Note: If you challenge the above actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.*

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Shauna Williams, *Recording Secretary*  
Pamela Thompson, *City Attorney*

## PLANNING

### COMMISSIONERS

Rick Biasotti, *Chair*  
Bob Marshall Jr. *Vice-Chair*  
Commissioners:  
Mary Lou Johnson  
Sujendra Mishra  
Perry Petersen  
Kevin Chase  
Joe Sammut

## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING COMMISSION MINUTES

May 15, 2007

San Bruno Senior Center  
1555 Crystal Springs Blvd.  
7:00 P.M. to 7:23 P.M.

CALL TO ORDER at 7:09 pm.

### ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Biasotti	X	
Vice Chair Marshall		X
Commissioner Chase		X
Commissioner Johnson	X	
Commissioner Mishra	X	
Commissioner Petersen		X
Commissioner Sammut	X	

### STAFF PRESENT:

Planning Division: Interim Community Development Director: Aaron Akin  
City Attorney: Pamela Thompson  
Acting Planning Manager: Lisa Costa Sanders  
Assistant Planner: Laura Russell  
Community Dev. Recording Secretary: Shauna Williams

Pledge of Allegiance: Commissioner Mishra

### A. Approval of Minutes – April 20, 2007

Motion to Approve Minutes and transcript of April 20, 2007 Planning Commission meeting  
Johnson/Sammut

VOTE: 4-0  
AYES: All Commissioners Present  
NOES: None  
ABSTAIN: None

### B. Communication

Introduce Shauna Williams, Community Development Department Recording Secretary.

E-Packets are available on line at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)

**C. Public Comment**

None at this time.

**D. Announcement of Conflict of Interest**

None

**E. Public Hearings**

**1. Environmental Determination**

**Ordinance modifying and clarifying the process for obtaining Temporary Use Permits for various activities and for obtaining Police Permits for dance or entertainment events.**

*Interim Director Aknin* entered staff report.

Staff recommends that the Planning Commission adopt Resolution No. 2007-\_\_\_ recommending the City Council adopt the proposed Ordinance Modifying and Clarifying the Process Contained in Title 12, "Land Uses," for Obtaining Temporary Use Permits for Various Activities and For Obtaining Police Permits for Dance or Entertainment Events.

*Chair Biasotti* asked Commission if there were any questions for staff.

*None*

*Commissioner Sammut* Is there any reason why sale of fireworks is not listed?

*Pamela Thompson* There is a separate ordinance which regulates the sale of fireworks by voter approval.

*Commissioner Johnson* Second page under discussion states "Chamber of Commerce events and the like", what would go under "the like"?

*Interim Director Aknin* That is just a description in the staff report, the ordinance does not say "and the like".

**Motion to Adopt Resolution recommending the City Council adopt the proposed Ordinance for Temporary Use Permits based on Findings 1-3.**

**Commissioner Sammut/Mishra**

ROLL CALL VOTE: 4-0

AYES: Commissioners Sammut, Johnson, Biasotti, and Mishra

NOES: None

ABSTAIN: None

ABSENT: Commissioners Chase, Marshall, and Petersen

**FINDINGS**

1. The proposed zoning text amendments are all consistent with the General Plan of the City of San Bruno.
2. The request to amend the San Bruno Zoning Ordinance has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and the San

Bruno environmental review procedures and this zoning text amendment is Categorically Exempt.

3. The proposed amendment related to temporary uses will not be detrimental to the health, safety, morals, comfort and general welfare of the Citizens of San Bruno.

#### F. Discussion

##### 1. City Staff Discussion

a. San Bruno Historical Inventory: *Assistant Planner Russell* presented information from the memo.

b. Select June 14, 2007 Architectural Review Committee Members –Biasotti and Sammut, Mishra as alternate.

1. Planning Commission Discussion  
None.

#### H. Adjournment

Meeting was adjourned at 7:23 pm

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**Aaron Aknin**

Secretary to the Planning Commission  
City of San Bruno

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**Rick Biasotti, Chair**

Planning Commission  
City of San Bruno

**NEXT MEETING: June 19, 2007**

AA/ch



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**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. E1  
June 19, 2007**

**PROJECT LOCATION**

1. Address: 752 2<sup>nd</sup> Avenue
2. Assessor's Parcel No: 020-192-330
3. Zoning District: R-1 (Single Family Residential District)
4. General Plan Classification: Low Density Residential

**EXHIBITS**

- A: Site Location
- B: Site Plan, Floor Plans, and Elevations
- C: Photos
- D: San Mateo Countywide Sustainable Buildings Checklist

**REQUEST**

Request for a Use Permit to allow the construction of a new house which proposes a floor area ratio that exceeds the .55 guideline (.63) and proposes lot coverage that exceeds the 1,782 s.f. guideline (1,965 s.f.) per Sections 12.200.030.A.1 and 12.200.030.A.2 of the San Bruno Zoning Ordinance. Jose Casco (Applicant), Enrique Aguilar (Owner) **UP-07-003**.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve Use Permit 07-003 based on Findings of Fact 1-6 and subject to conditions 1-15.

**LEGAL NOTICE**

1. Notices of public hearing mailed to owners of property within 300 feet on June 8, 2007.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, June 9, 2007.

**ENVIRONMENTAL ASSESSMENT**

This project is **Categorically Exempt** per the California Environmental Quality Act (CEQA) Guidelines Class 1, **Section 15303: New Construction of a Single Family Residence**.

**EXISTING CONDITIONS**

The subject property is located on 2<sup>nd</sup> Avenue between San Bruno Avenue East and Pine Street. This is a rectangular lot with dimensions of 37'-6" wide by 100' deep currently developed with a traditional style home built in 1947. It is a single-story residence with two bedrooms, one bathroom, and a one-car garage. This home is located in the Belle Air Park subdivision, which is made up of early to mid 20<sup>th</sup>

century single-family residences. Adjacent to the subject property are other single-family structures. Across 2<sup>nd</sup> Avenue from the site is the side of Melody Toyota, which fronts onto San Bruno Avenue.

### **SURROUNDING LAND USES**

North: San Bruno Avenue East- C Zone, General Commercial District

South: Pine Street - R-1 Zone, single-family residential

East: 3<sup>rd</sup> Avenue- R-1 Zone, single-family residential

West: 1<sup>st</sup> Avenue- C Zone, General Commercial District

### **PROJECT INFORMATION**

The proposed project includes demolition of the existing house and construction of a new two-story house. Specifically, the new home would include 2,069 s.f. of living area and a 463 s.f., two-car garage. As proposed, the project complies with setback, height, and parking requirements of the Municipal Code. Since the lot is substandard in size (3,750 s.f.), the Municipal Code allows the side setbacks to be reduced to 10% of the width of the parcel, in this case 3'-9". Since the proposal is new construction, the front setback will comply with the current requirements of 15' to the house and 20' to the garage.

If approved and constructed, this would be a 3 bedroom and 3 bathroom home with a living room, dining room, and playroom open to the kitchen below. The exterior colors are proposed to be tan for the walls with cream trim and brown composition shingle roof. Project details are shown in the following table:

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		R-1	R-1	Same
Lot Area		3,750 s.f. 4,050 s.f. adjusted	3,750 s.f. 4,050 s.f. adjusted	Same
Lot Coverage		1,782 s.f. (44%)	1,314 s.f. (32%)	<b>1,965 (49%)</b>
Gross Floor Area		2,228 s.f.	1,340 s.f.	<b>2,532 s.f.</b>
Floor Area Ratio		.55	.32	<b>.63</b>
Building Setbacks	Front	15' to house 20' to garage	32' to house 15' to garage	32' to house 20' to garage
	Rear	10'-0"	22'-10"	11'-8"
	N Side S Side	5'-0"	5' 7'-8"	3'-9" 3'-9"
Building Height		28'-0"	18'	23'-7"
Covered Parking		2 spaces	1 space	2 spaces

Notes:

- Adjustment factor of 1.08
- Expansion of greater than 50% (89% increase)
- Proposed floor area is 2,532 > 2,228 guideline
- Proposed lot coverage is 1,965 > 1,782 guideline

### **Square Footage Breakdown:**

	Main Floor	Upper Floor	Garage	Total
Existing	1,056	-	284	1,340
Proposed Addition	399	614	179	1,192
Total	1,455	614	463	2,532

### **BACKGROUND**

The original proposal included tile roofing material and stucco exterior finish. Staff recommended that the applicant revise their plans to include composition shingle roofing and siding to increase compatibility with the neighborhood. The applicant changed the roofing material but declined to change the exterior stucco. That change was reflected in the plans before the Architectural Review Committee (ARC) meeting.

ARC reviewed the project at its May 10, 2007 meeting. Staff expressed concerns about the proposed home being out of character with the neighborhood and recommended changing the window moldings from stucco to wood and redesigning the porch to be more traditional. The applicant and ARC agreed that wood moldings were preferable. The Committee supported design of the porch as proposed by the applicant and forwarded the project to the Planning Commission with a favorable recommendation and the following comments:

- o Change the window moldings to wood
- o Complete a survey to verify property lines
- o Redesign the second story window on the south side (playroom) to be higher to lessen privacy impacts

*Commissioners Biasotti, Sammut, and Chase were present for this item.*

Since the Architectural Review Committee hearing, the applicant has changed the window moldings and completed a survey. The applicant did not change the size or location of the second story window in the south side of the home. A condition of approval has been added to require them to do so.

### **NEIGHBORHOOD CONCERNS**

Staff mailed a courtesy notice to property owners adjacent to the subject site on April 25, 2007 and 300' notification on June 8, 2007. Staff received comments from one neighbor, Mary Joiner, owner of the home on the south side of the subject site. Ms. Joiner called on the telephone, and came in person to view the plans and speak with staff. Overall, Ms. Joiner is supportive of her neighbors improving their home, but had several specific concerns:

- Her home is near or on the property line. Since the applicant is going to reduce their side setbacks, she would like to be sure of where the property line is.
- She was concerned about privacy in her back yard, since the new second story will overlook her yard.
- She was very concerned about the standard condition regarding noise and times when construction is permitted. She asked that they be required to stop construction at 7 P.M. each night.
- She was concerned about noise in general, after the home is complete. Staff showed her the

plans, where the proposed windows are, and how the new home would line up with her home.

The Architectural Review Committee addressed the first two concerns by requesting a survey (now complete) and that the second story window overlooking Ms. Joiner's yard be placed above eye level. Staff has included a condition of approval that the playroom window be raised to above eye level to reduce privacy impacts.

In regards to Ms. Joiner's noise concerns, staff has modified the standard conditions of approval to require that construction end at 7 P.M. Since the ARC meeting, the applicant has added an additional window in the garage on the south side, near Ms. Joiner's home. Staff has added a condition of approval requiring that the new window be removed since staff reviewed the proposal with Ms. Joiner and she was concerned about noise and privacy.

### **ANALYSIS AND RECOMMENDATION**

The applicant is proposing new construction of a home with 2,069 s.f. of living area and a 463 s.f., two-car garage. The project would increase the existing gross floor area by 89%, exceeds the .55 floor area guideline (.63 proposed), and exceeds the 1,782 s.f. lot coverage guideline (1,965 proposed).

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

With the condition that the applicant obtain a building permit prior to construction, the new residence will be constructed according to the Uniform Building Code (UBC) and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood. The proposed structure meets all required setbacks and all UBC safety requirements.

- 2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

The applicant is proposing to demolish the existing house and build a new home that complies with the Uniform Building Code and a majority of regulations as set forth in the Municipal Code. According to the applicant, the existing family room located at the rear of the home has a faulty foundation and was likely a porch at one time. This proposal will eliminate these substandard conditions and create new, safe living area.

The applicant is proposing a new home that complies with the height limit, setback requirements, and parking requirements of the Municipal Code. The proposed addition will benefit the City and the surrounding neighborhood by improving the property in a well designed manner and by its general conformance to a majority of regulations as set forth in the Municipal Code. Therefore, staff determines that the new residence will not be detrimental to improvements in the neighborhood or to the general welfare of the city.

**3. The proposed development will be consistent with the general plan.**

The San Bruno General Plan designates the property as a low-density residential district. The proposed single family dwelling is thus consistent with the residential general plan designation. The home's design will continue to accommodate a single family only and no portion is intended as a second unit. Any future establishment of a second dwelling unit on the property would require Planning Division approval.

Goal 3 of the City's 1984 General Plan states "encourage public and private development which is aesthetically sensitive to the surrounding environment and is of the highest quality design and construction." The proposed new home, which will be built in compliance with the Uniform Building Code, will be an improvement over the existing home.

**4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.**

The proposal includes a 614 s.f. second story, which would be set back on the rear half of the first floor. The proposed height of 23'-7" is well below the height limit of 28'. The side setbacks meet the Municipal Code and the rear setback exceeds it. Therefore, the structure should not unreasonably restrict or interfere with light and air on the adjacent properties.

The applicant is proposing a new two-story home in place of a single-story home in the Belle Air Park Subdivision. The neighborhood has a transitional character, as many homeowners are pursuing significant renovations. As such, staff often receives applications for significant additions and new construction in this area. Parking is an issue in this neighborhood because most homes have one-car garages and short driveways. Therefore, staff is supportive of the proposed two-car garage and compliant driveway proposed with this application.

The neighborhood includes homes built in the early to mid 20<sup>th</sup> century with traditional architecture and a mix of exterior materials including stucco and siding. Given the nature of the neighborhood, staff finds that the proposed home will be consistent with the neighborhood.

**5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.**

The majority of existing homes in the area are single story. To increase compatibility with the adjacent homes, this proposal mitigates the bulk of the second story by setting it back at the rear of the first story. Furthermore, the composition shingle roof and wood window trim are consistent with other homes in the area.

The proposal will improve the on-street parking in the area because it will provide a two-car garage and driveway that will fit two vehicles. Construction of a new home will be an improvement to the site itself

and to the neighborhood.

**6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.**

The neighborhood has a significant parking problem because many homes have one-car garages and short driveways. The project proposes a new two-car garage and 20' deep driveway. The garage is designed to provide sufficient space for two parked cars, with 20'-10" by 20' available for parking and 3'-1" by 12'-5" for laundry and mechanical facilities. The driveway will easily accommodate two parked cars. Staff is supportive of this garage design, which exceeds the requirements of the Municipal Code.

**Recommendation**

Based on the above analysis and Findings of Fact 1-6 below, Staff recommends approval of Use Permit 07-003 subject to conditions 1-15 below.

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since the addition is will designed with appropriate finished materials.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

## **CONDITIONS OF APPROVAL**

### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-003 shall not be valid for any purpose. Use Permit 07-003 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on June 19, 2007 labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 7:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 7:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code or storage. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
9. The window located on the right side of the second story in the room labeled "playroom" shall be raised to 5'-6" to lessen privacy impacts.
10. The window located on the right side of the garage shall be removed.

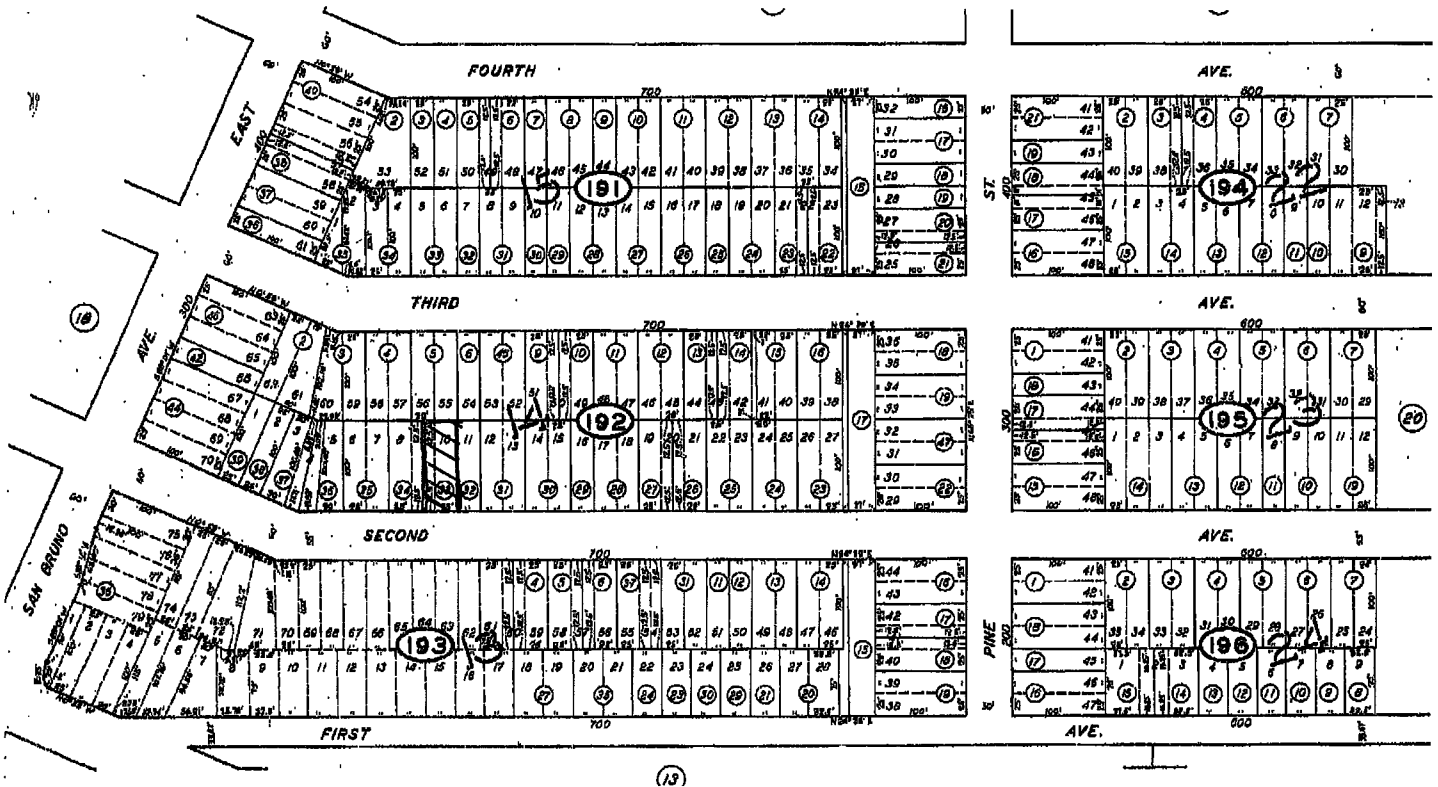
### **Fire Department – (650) 616-7096**

11. Provide minimum 4" illuminated address numbers.
12. Provide hardwired smoke detectors with battery back up to all bedroom and hallway/corridors.
13. Provide spark arrestor on chimney if present.

**Department of Public Works – (650) 616-7065**

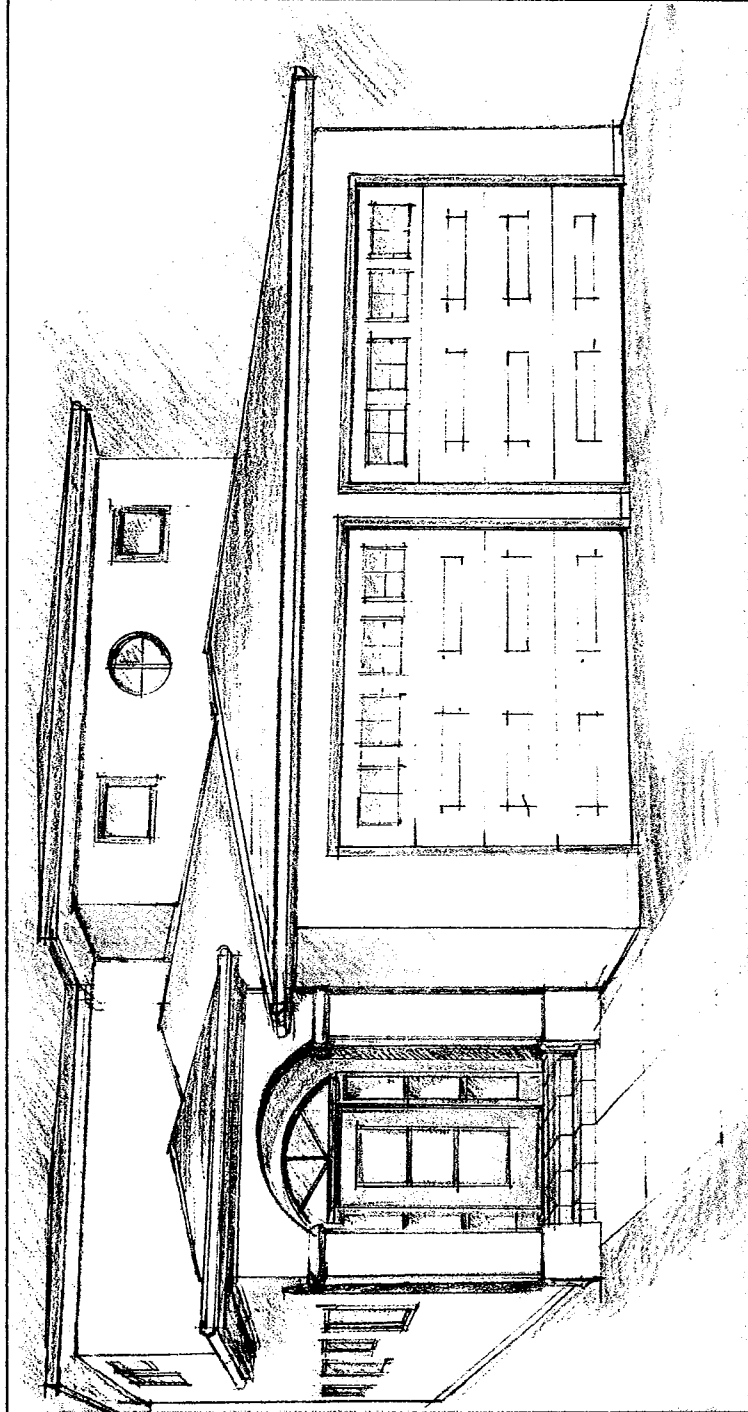
14. At the time the building permit is issued, applicant will need to pay tree planting fee of \$540.
15. Any damaged curb, gutter, sidewalk or driveway in public right of way in front of property will need to be removed and replaced. Any crack or offset of 3/4" or more would need to be repaired. Work in the public right of way will require issuance of a separate encroachment permit. All concrete work shall comply with city standard plans and specifications.

Submitted on June 8, 2007 by:  
Laura Russell  
Assistant Planner



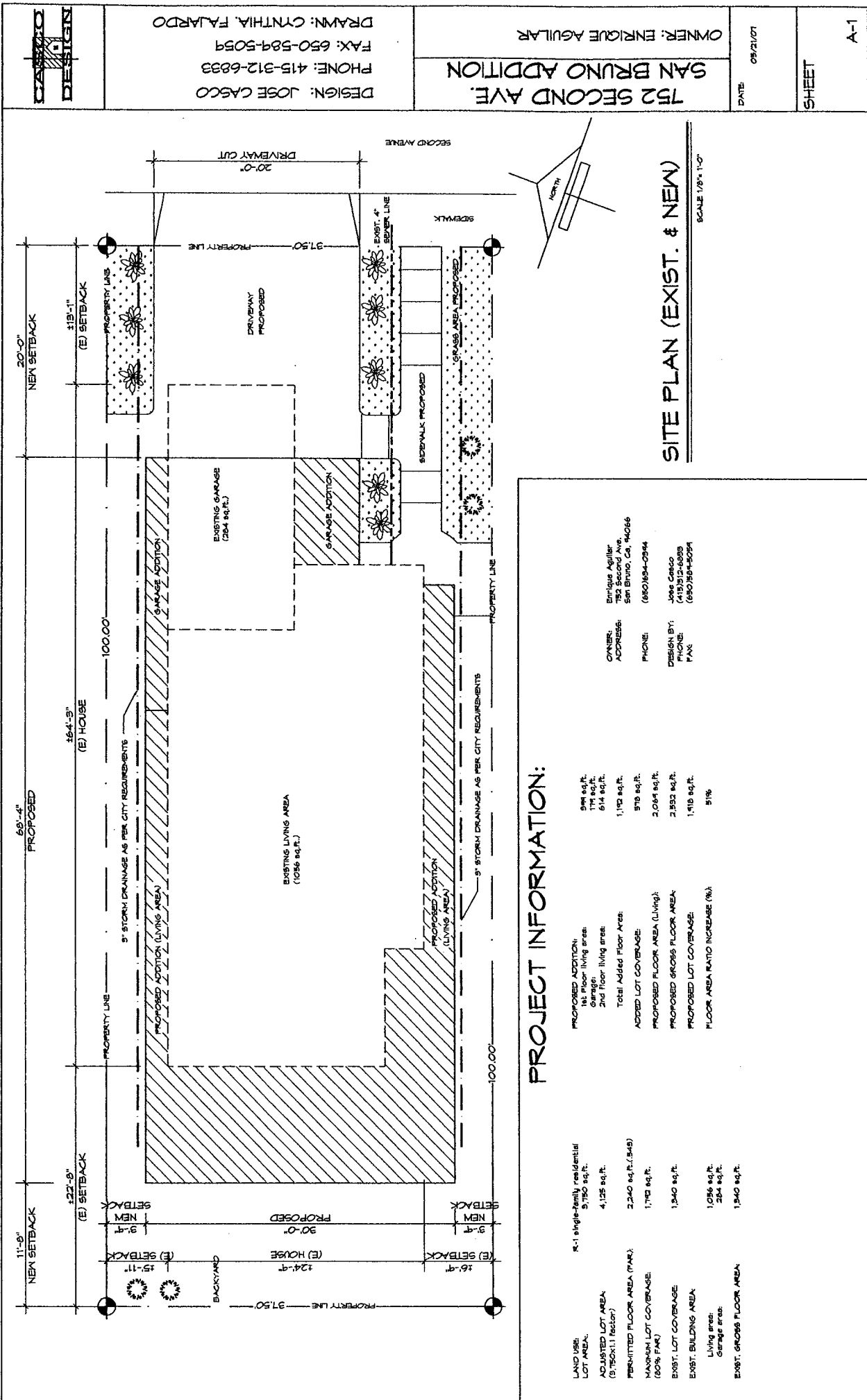
752 2<sup>nd</sup> Avenue  
 020-192-330  
 UP 07-003

Exhibit A – Site Location



CASCO DESIGN

752 SECOND AVE. San Bruno, Ca. 94066 -05/07

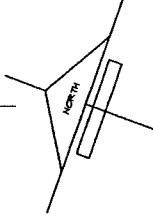


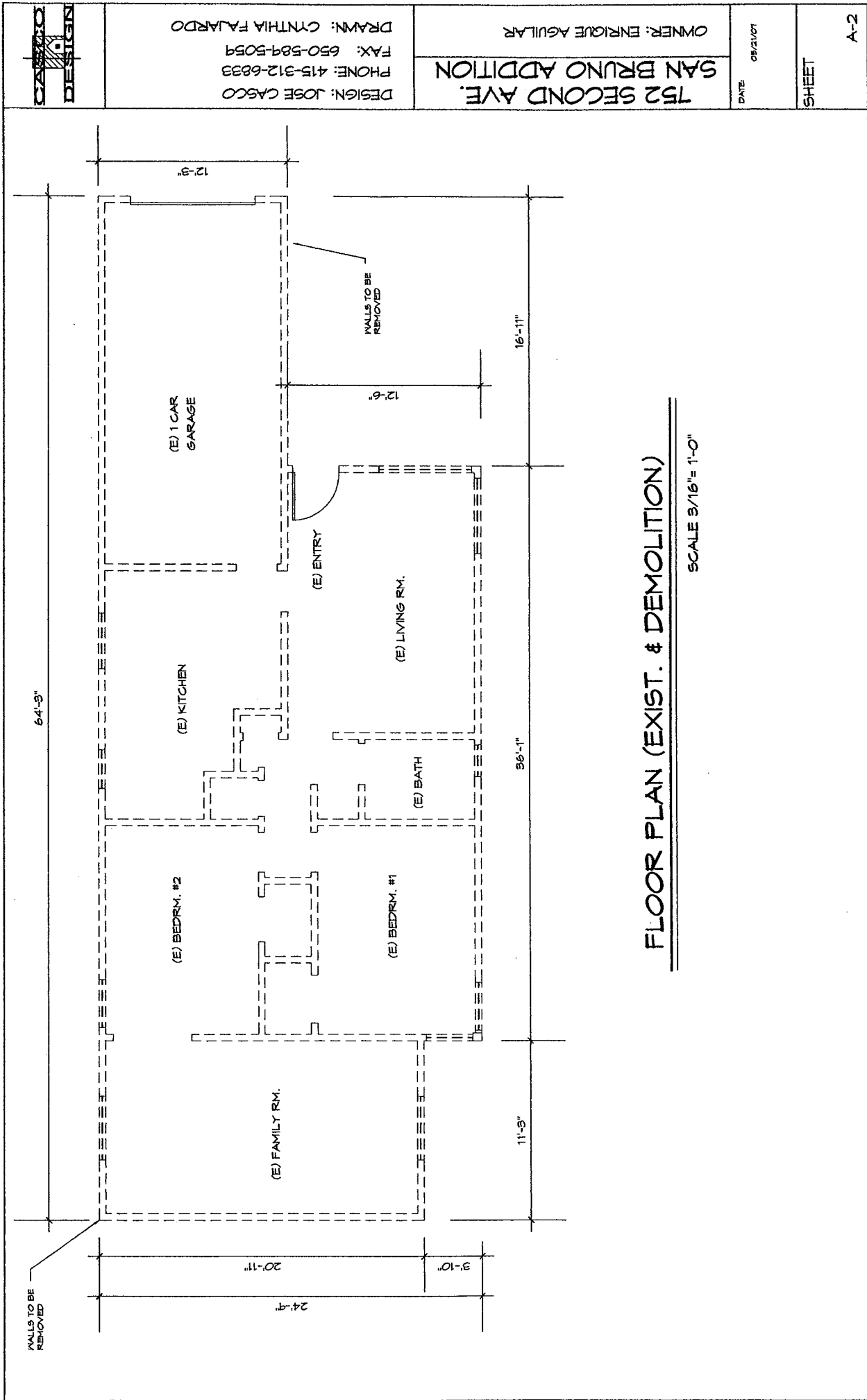
### PROJECT INFORMATION:

LAND USE: LOT AREA:	11'-8" NEW SETBACK	122'-8" (E) SETBACK	122'-8" NEW SETBACK	11'-8" NEW SETBACK
ADJUSTED LOT AREA (9750X1.1 Factor)	5,180 sq.ft.	4,125 sq.ft.	2,240 sq.ft. (3,445)	1,703 sq.ft.
PERMITTED FLOOR AREA (FAR)	5,180 sq.ft.	4,125 sq.ft.	2,240 sq.ft. (3,445)	1,703 sq.ft.
MAXIMUM LOT COVERAGE (80% FAR)	5,180 sq.ft.	4,125 sq.ft.	2,240 sq.ft. (3,445)	1,703 sq.ft.
EXIST. LOT COVERAGE	5,180 sq.ft.	4,125 sq.ft.	2,240 sq.ft. (3,445)	1,703 sq.ft.
EXIST. BUILDING AREA	5,180 sq.ft.	4,125 sq.ft.	2,240 sq.ft. (3,445)	1,703 sq.ft.
Living area: Garage area:	5,180 sq.ft.	4,125 sq.ft.	2,240 sq.ft. (3,445)	1,703 sq.ft.
EXIST. GROSS FLOOR AREA	5,180 sq.ft.	4,125 sq.ft.	2,240 sq.ft. (3,445)	1,703 sq.ft.
PROPOSED ADDITION: 1st floor living area: Garage: 2nd floor living area: Total Added Floor Area: ADDED LOT COVERAGE: PROPOSED FLOOR AREA (LIVING): PROPOSED GROSS FLOOR AREA: PROPOSED LOT COVERAGE: FLOOR AREA RATIO INCREASE (%):	999 sq.ft. 1711 sq.ft. 614 sq.ft. 1,102 sq.ft. 518 sq.ft. 2,084 sq.ft. 2,352 sq.ft. 1,918 sq.ft. 51%	999 sq.ft. 1711 sq.ft. 614 sq.ft. 1,102 sq.ft. 518 sq.ft. 2,084 sq.ft. 2,352 sq.ft. 1,918 sq.ft. 51%	999 sq.ft. 1711 sq.ft. 614 sq.ft. 1,102 sq.ft. 518 sq.ft. 2,084 sq.ft. 2,352 sq.ft. 1,918 sq.ft. 51%	999 sq.ft. 1711 sq.ft. 614 sq.ft. 1,102 sq.ft. 518 sq.ft. 2,084 sq.ft. 2,352 sq.ft. 1,918 sq.ft. 51%

### SITE PLAN (EXIST. & NEW)

SCALE 1/8" = 1'-0"



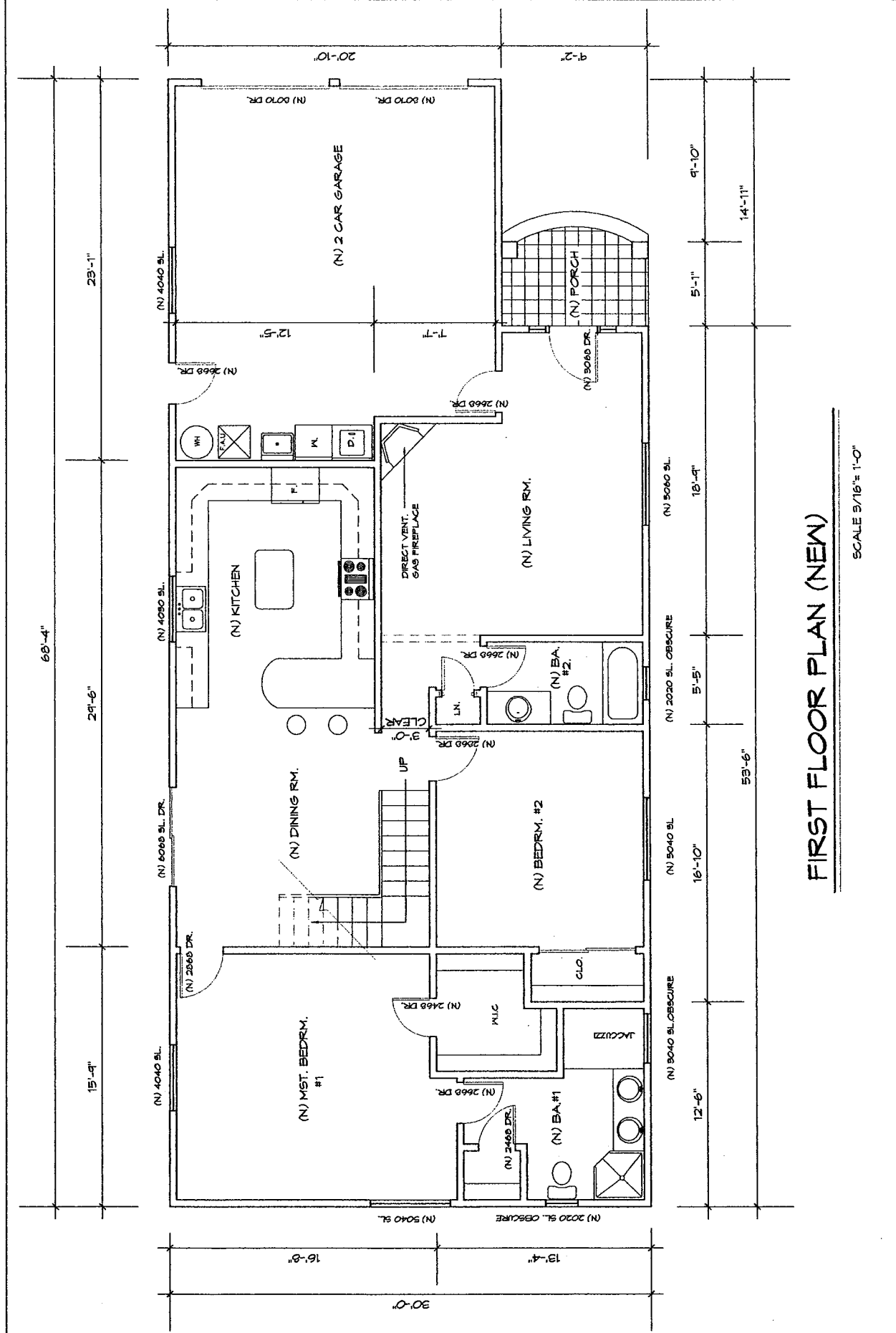
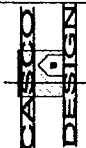


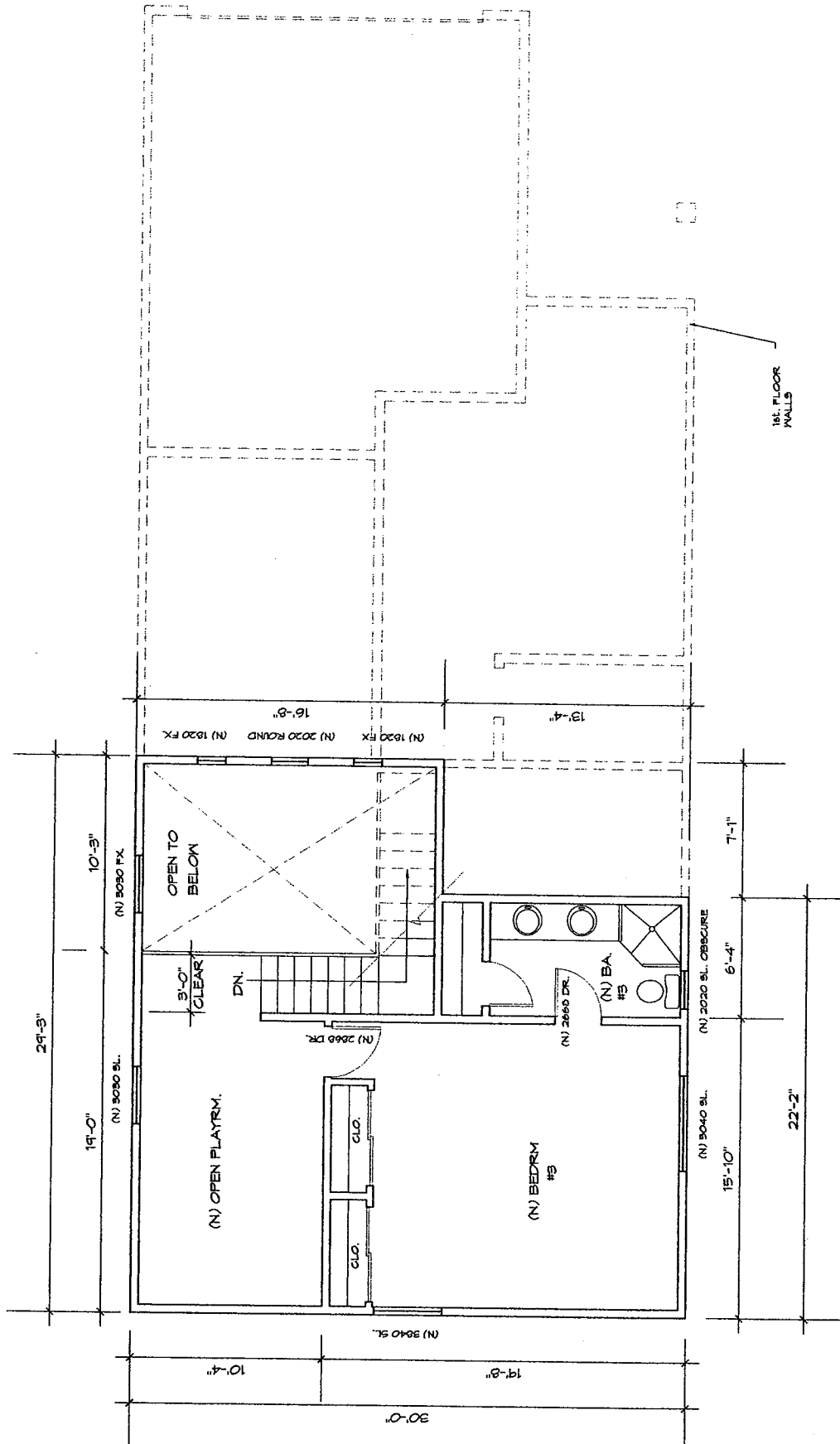
DATE: 05/21/07

752 SECOND AVE.  
SAN BRUNO ADDITION

OWNER: ENRIQUE AGUILAR

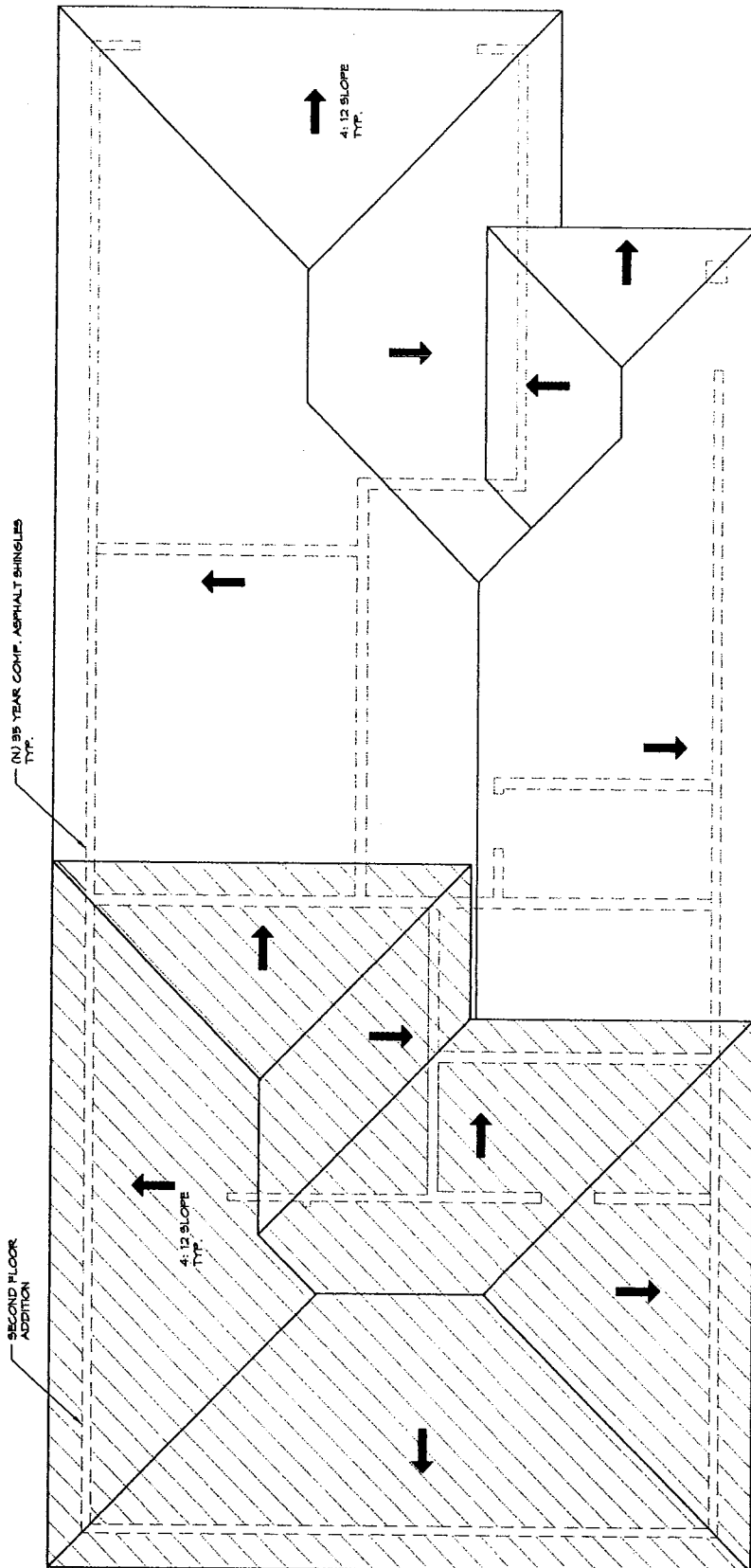
DESIGN: JOSE CASCO  
PHONE: 415-312-6833  
FAX: 650-589-5059  
DRAWN: CYNTHIA FALJARDO





## SECOND FLOOR PLAN (NEW)

SCALE 3/16"= 1'-0"



12" Ø HANG TYP.

**ROOF PLAN (NEW)**

SCALE 3/16" = 1'-0"



DESIGN: JOSE CASCO  
PHONE: 415-312-6833  
FAX: 650-584-5054  
DRAWN: CYNTHIA FALAPDO

752 SECOND AVE.  
SAN BRUNO ADDITION

OWNER: ENRIQUE AGUILAR

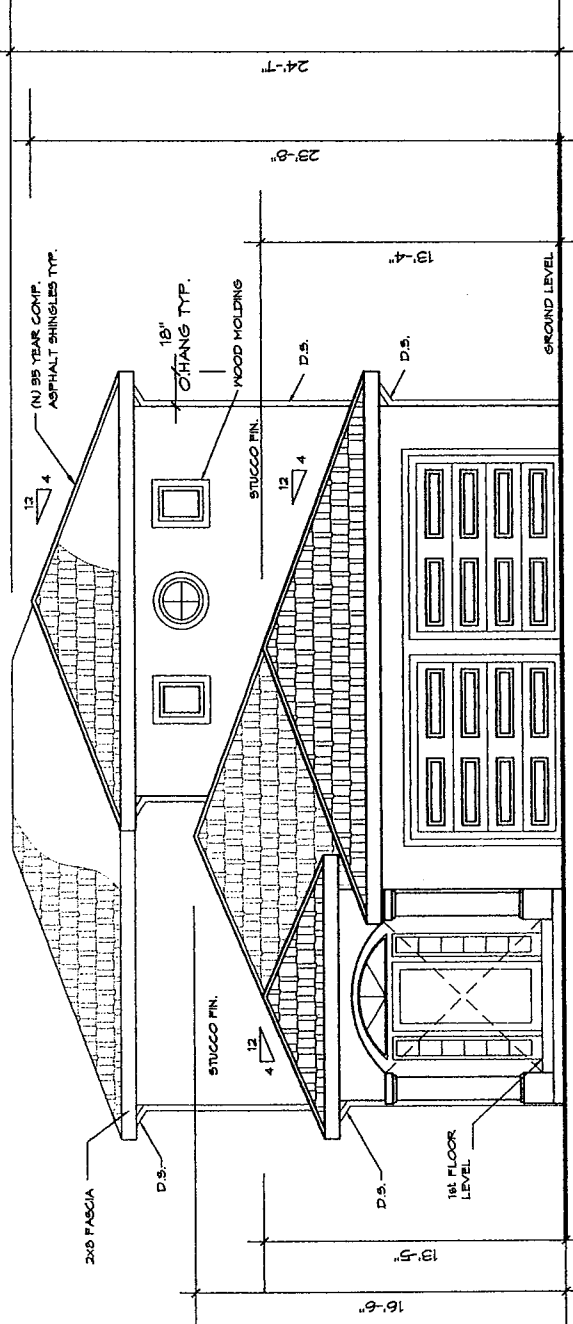
DATE 08/21/07

SHEET

A-6

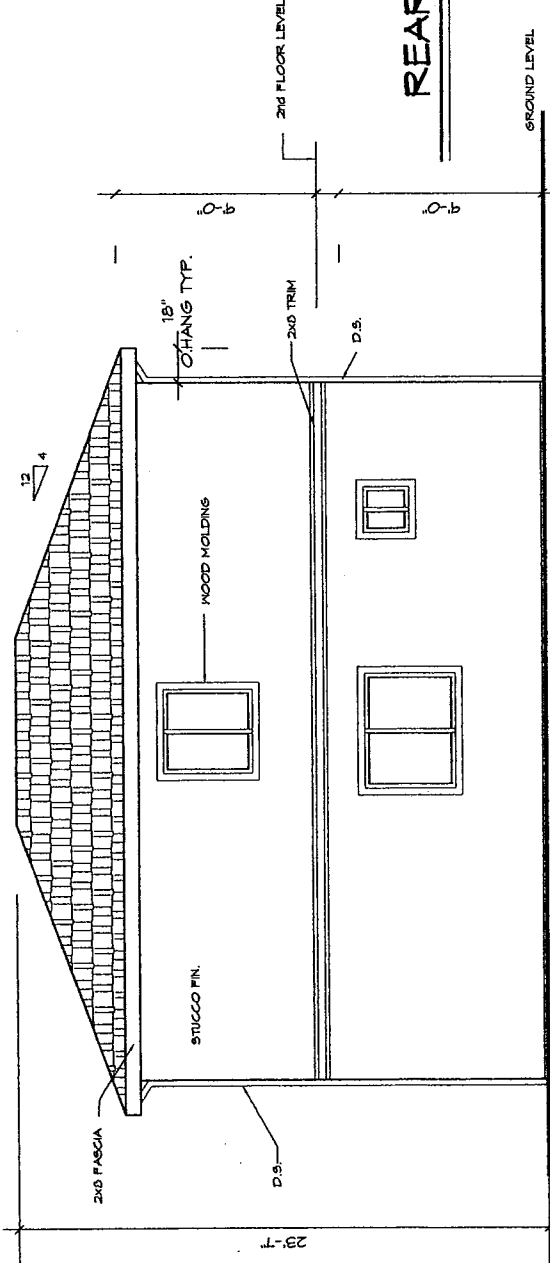
## FRONT ELEVATION

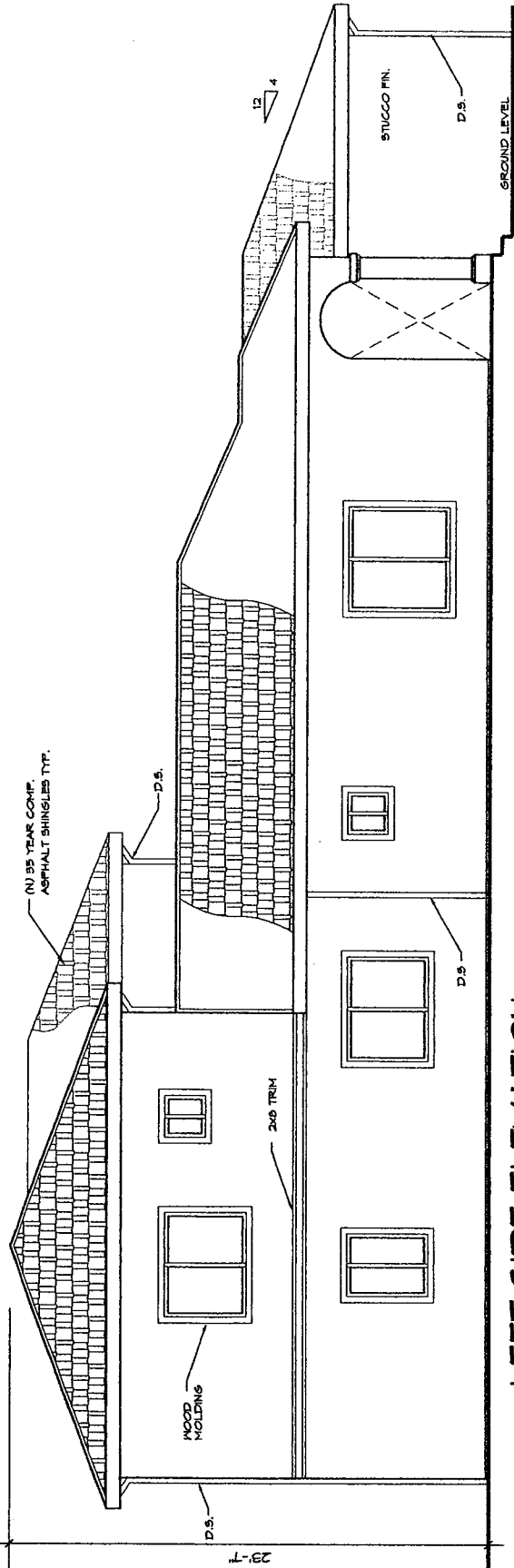
SCALE 3/16" = 1'-0"



## REAR ELEVATION

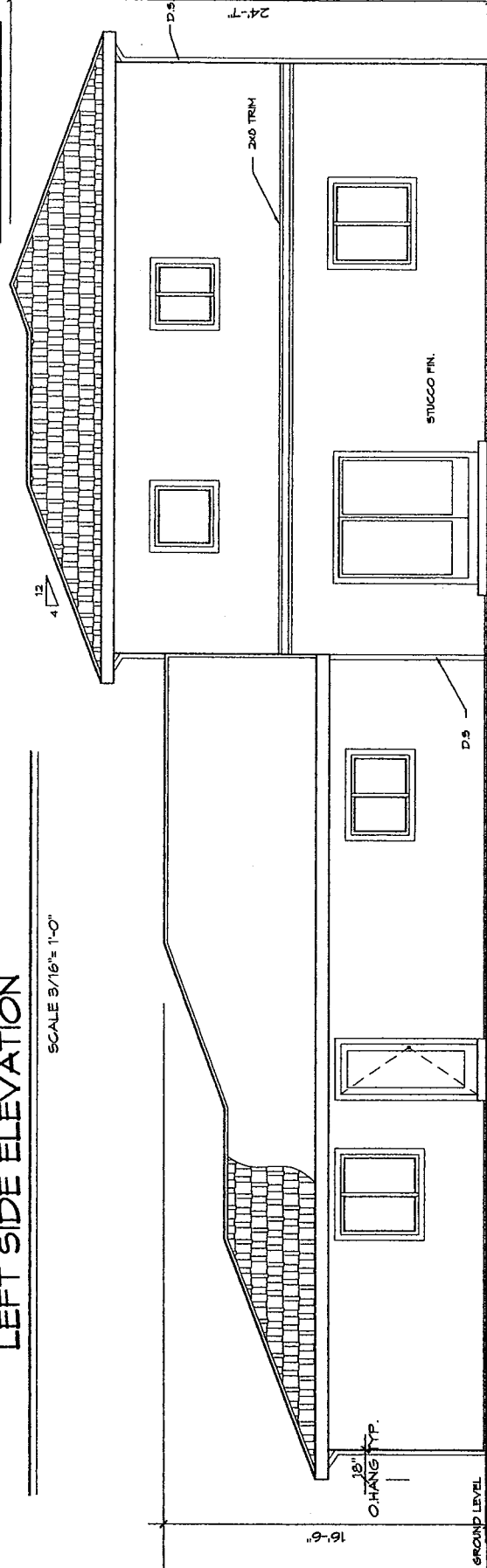
SCALE 3/16" = 1'-0"





LEFT SIDE ELEVATION

SCALE 3/16" = 1'-0"



# RIGHT SIDE ELEVATION

SCALE 3/16" = 1'-0"



**OWNER**  
ENRIQUE AND GLORIA AGUILAR  
752 SECOND AVENUE,  
SAN BRUNO, CA. 94086

## NOTES

1. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCT.
2. ALL ELEVATIONS AND CONTOURS ARE BASED ON ASSUMED DATUM WITH ELEVATION 191.46 AS SHOWN.
3. BASIS OF BEARING, THE FOUND PIPES FROM PIONEER LOTS 7, 9 AND 10-11 AND SPLIT CURB AND GUTTER AS 82°-33'00"E IN RRM NAMED "NEWBOLD BELL PARK RECORDS SURVEY MAP FILED ON JUNE 24, 1907, IN BOOK 5, AT PAGE 10, SAN MATEO COUNTY RECORDS.
4. THE SURVEY WAS BASED UPON A TITLE REPORT BY NORTH BAY COMPANY OR No. M-511238, DATED SEPTEMBER 11, 1997.



## TOPOGRAPHIC SURVEY

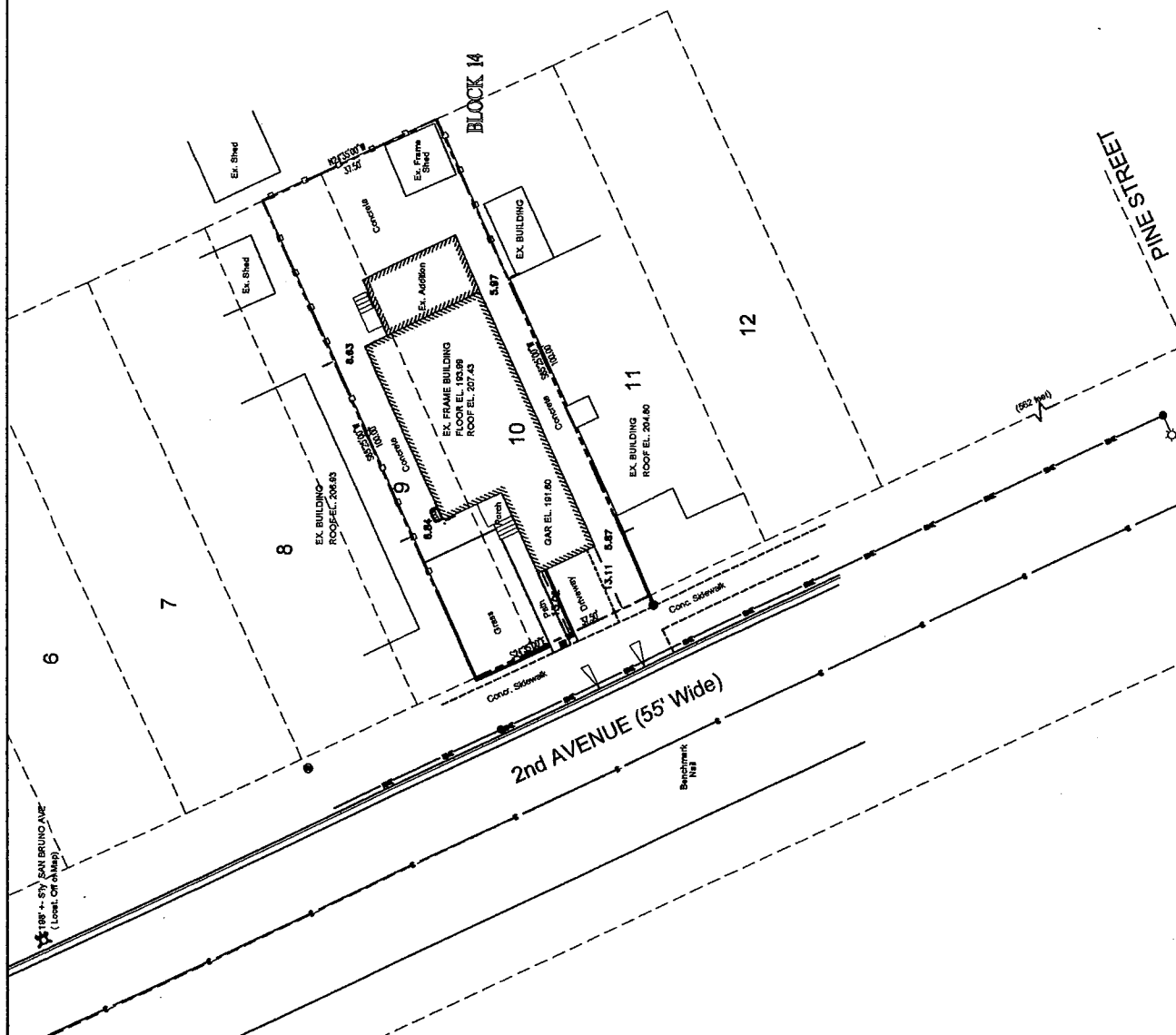
FOR 752 SECOND AVENUE, SAN BRUNO, CA

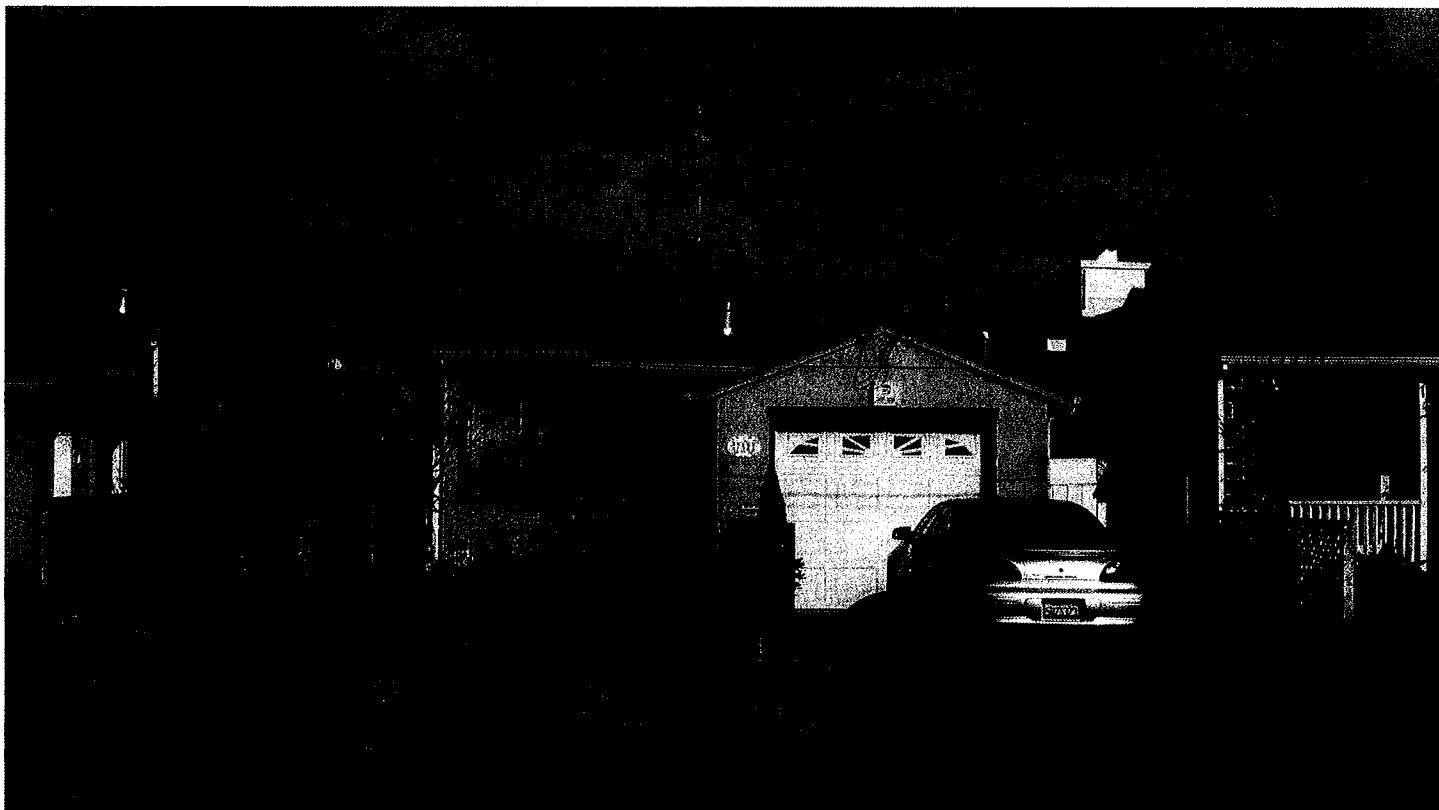
**Thinggaard Land Consulting**

3524 Breakwater Avenue  
Hayward, California 94545  
(510) 732-8608

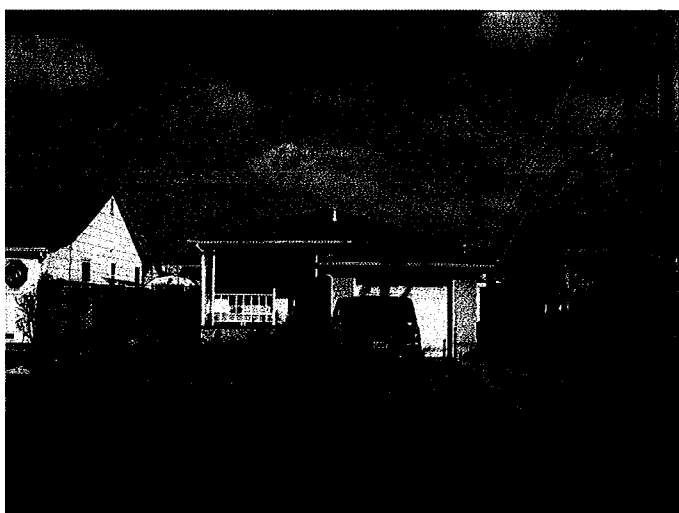
Raymond B. Thinggaard PLS-3820

Date \_\_\_\_\_





**Subject Site- 752 2<sup>nd</sup> Avenue**



**Adjacent properties**

**Exhibit C – Photos**

	✓	No.	Item	Applicable Building Types
<b>COMMUNITY PLANNING</b>		<b>Goal: Create a more sustainable community</b>		
		1	Build mixed-use developments and provide public amenities such as open space	c m
		2	Cluster development to minimize paving and utilities, and to preserve open space	c m
		3	Reuse a brownfield or previously occupied site	c m
		4	Design for easy pedestrian, bicycle, and transit access	c t m
<b>SITE &amp; LANDSCAPE</b>		<b>Goal: Respect your site</b>		
		5	Design and landscape to create comfortable micro-climates and reduce heat island effects	c m s
		6	Optimize building orientation for heat gain, shading, daylighting, and natural ventilation	c m s
		7	Reduce building footprint - smaller is better	c m s
		8	Limit site impacts, balance cut and fill, preserve existing vegetation and protect soil during construction	c m s
		9	Use native plants that are drought-resistant, create habitat for indigenous species, and do not require pesticides for maintenance	c m s
	✓	10	Use recycled rubble for backfill drain rock	c m (s)
		<b>Goal: Save water and reduce local water impacts</b>		
		11	Maximize onsite stormwater management through landscaping and permeable pavement	c m s
		12	Use rainwater harvesting	c m s
	13	Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones	c m s	
<b>WASTE REDUCTION &amp; MANAGEMENT</b>		<b>Goal: Reduce, reuse, recycle</b>		
		14	Reuse a building (renovate) instead of tearing down and rebuilding	c t m s
		15	Deconstruct old buildings for materials reuse (salvage)	c t m s
		16	Recycle construction & demolition waste	c t m s
		17	Design for durability and eventual reuse	c t m s
		18	Provide adequate space for storing and handling recyclables	c t m s
<b>CONCRETE</b>		<b>Goal: Make concrete with sustainable materials</b>		
		19	Use flyash in concrete	c t m s
		20	Use recycled aggregate in non-structural concrete	c t m s
		21	Use prefabricated forms or save and reuse wood form boards	c t m s
<b>WOOD FRAMING</b>		<b>Goal: Design to save wood and labor</b>		
		22	Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance	c t m s
		23	Use engineered lumber or metal stud framing to replace solid-sawn lumber	c t m s
		<b>Goal: Support sustainable forests</b>		
		24	Use sustainably harvested lumber (FSC certified) for wood framing	c t m s
		25	Use reclaimed or salvaged lumber	c t m s
<b>EXTERIOR TREATMENTS SIDING &amp; ROOFING</b>		<b>Goal: Make a sustainable roof</b>		
		26	Use durable roofing materials	c m (s)
		27	Use a cool roof	c m
		28	Use a green or living roof	c m s
		<b>Goal: Support healthy environments and sustainable forests</b>		
	29	Use sustainable siding materials	c m s	
	30	Use sustainable decking materials	c m s	
<b>WINDOWS &amp; DOORS</b>		<b>Goal: Save energy through passive design</b>		
		31	Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees	c m s
		32	Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments	c t m s
		33	Choose window sizes, frame materials, and glass coatings to optimize energy performance	c m s
		34	Stop air leakage at doors and windows	c m s
<b>PLUMBING</b>		<b>Goal: Save water and energy in plumbing systems</b>		
		35	Use water-conserving plumbing fixtures	c t m s
		36	Use water-saving appliances and equipment	c t m s
		37	Insulate hot and cold water pipes	c t m s
		38	Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps	c t m s
		39	Pre-plumb for future graywater use for toilet flushing and landscape irrigation	c m s
		<b>Goal: Reduce environmental impacts from materials production</b>		
	40	Use sustainable materials for pipes	c t m s	



# checklist

NAME: \_\_\_\_\_  
 SITE ADDRESS: \_\_\_\_\_  
 PERMIT NUMBER: \_\_\_\_\_

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the RecycleWorks hotline at 1-888-442-2666.

c Commercial/  
Industrial  
 t Tenant  
Improvement  
 m Multi-family  
housing  
 s Single-family  
home



## checklist

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the RecycleWorks hotline at 1-888-442-2666.

	✓	No	Item	Applicable Building Types
<b>ELECTRICAL</b>	<b>Goal: Save energy in lighting</b>			
		41	Design lighting levels for actual use, and use task lighting to reduce general lighting levels	c t m s
	✓	42	Use energy-efficient lamps and lighting fixtures	c t m <u>s</u>
		43	Use lighting controls that save energy such as occupancy sensors	c t m s
	<b>Goal: Save energy in equipment use</b>			
	44	Use ENERGY STAR® appliances	c t m <u>s</u>	
	45	Use a building energy management system	c t m	
<b>HEATING &amp; COOLING</b>	<b>Goal: Save energy through passive design</b>			
		46	Use passive solar design, thermal mass, and insulation to reduce space heating needs	c m s
		47	Replace air conditioning with natural ventilation and passive cooling	c m s
	✓	48	Use ceiling fans for comfort cooling, and use a whole-building fan for night-time cooling	c t m s
		49	Upgrade wall, floor, and ceiling insulation to exceed minimum State requirements	c m <u>s</u>
	<b>Goal: Save energy in equipment use</b>			
	✓	50	Use high-efficiency equipment including furnaces, boilers, fans, and pumps	c m <u>s</u>
		51	Use heat recovery equipment	c m s
		52	Use geothermal systems, cogeneration, or other alternatives for heating and cooling	c m
	✓	53	Place ductwork within conditioned space, seal joints properly, and clean before occupancy	c t m <u>s</u>
	54	Zone mechanical systems for more efficient heating and cooling	c t	
	55	Use radiant and hydronic systems for increased efficiency, health, and comfort	c t m s	
	56	Use equipment without ozone-depleting refrigerants	t m	
<b>Goal: Create healthy indoor environments</b>				
	57	Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products	c t m s	
	58	Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality	c t m s	
	59	Use clean and efficient alternatives to wood-burning fireplaces	m s	
<b>RENEWABLE POWER &amp; SOLAR ENERGY</b>	<b>Goal: Replace fossil fuel use with alternatives</b>			
		60	Generate clean electricity onsite using solar photovoltaics	c m s
		61	Generate clean electricity onsite using wind turbines	c m s
		62	Use solar hot-water systems for domestic use and swimming pools	c m s
		63	Use solar hot-water systems for space heating	c m s
	64	Pre-plumb for a solar hot-water system	c m s	
<b>INTERIOR MATERIALS</b>	<b>Goal: Create healthy indoor environments</b>			
	✓	65	Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives	c t m <u>s</u>
		66	Use low- or no-VOC carpets, furniture, particleboard, and cabinetry	c t m s
		67	Use exposed concrete as a finished floor	c t m s
		68	Use natural materials such as wool and sisal for carpets and wallcoverings	c t m s
		69	Use sustainable materials for flooring, trim, and interior surfaces	c t m s
	<b>Goal: Support the market for recycled materials</b>			
		70	Use recycled-content floor tile, carpets and pads, cabinets, and countertops	c t m s
	<b>Goal: Support sustainable forests</b>			
		71	Use reclaimed / salvaged, sustainably harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork	c t m s
<b>OTHER GREEN ALTERNATIVES</b>	<b>Goal: Use creativity and innovation to build more sustainable environments</b>			
		72	Use insulated concrete forms	c m s
		73	Use structural insulated panels to replace wood-framed walls	c t m s
		74	Use natural building materials and techniques	c m s
		75	Other sustainable methods or materials used. <i>Please describe:</i>	c t m s

## KEY

c Commercial/  
Industrial  
t Tenant  
Improvement  
m Multi-family  
housing  
s Single-family  
home

Applicant Signature: \_\_\_\_\_



567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
Fax: (650) 873-6749  
<http://www.ci.sanbruno.ca.us>

**STAFF**

Aaron Aknin, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Lisa Costa Sanders, *Acting Planning Manager*  
Tony Rozzi, *Assistant Planner*  
Laura Russell, *Assistant Planner*  
Pamela Thompson, *City Attorney*

**PLANNING COMMISSION**

Rick Biasotti, *Chair*  
Bob Marshall, Jr., *Vice-Chair*  
Kevin Chase  
Mary Lou Johnson  
Perry Petersen  
Joe Sammut  
Sujendra Mishra

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. E2  
June 19, 2007**

**PROJECT LOCATION**

1. Address: 73 Scott Street
2. Assessor's Parcel No: 014-276-230
3. Zoning District: R-1 (Single Family Residential District)
4. General Plan Classification: Low Density Residential

**EXHIBITS**

- A: Site Location  
B: Site Plan, Floor Plans, and Elevations  
C: Photos  
D: San Mateo Countywide Sustainable Buildings Checklist

**REQUEST**

Request for a Use Permit to allow the construction of a new house with a floor area ratio that exceeds the .55 guideline (.61) per Section 12.200.030.A.1 of the San Bruno Zoning Ordinance. Jose Casco (Applicant), Praveen Charan (Owner) **UP-07-006**.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve Use Permit 07-006 based on Findings of Fact 1-6 and subject to conditions 1-13.

**LEGAL NOTICE**

1. Notices of public hearing mailed to owners of property within 300 feet on June 8, 2007.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, June 9, 2007.

**ENVIRONMENTAL ASSESSMENT**

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15303: New Construction of a Single Family Residence.

**EXISTING CONDITIONS**

The subject property is located on Scott Street between Huntington Avenue and Herman Street. The lot is 5,120 s.f. and is generally rectangular in shape with a slight jog in the east property line. The property is currently developed with a single-story traditional style home built in 1948 and a detached two-car garage.

The neighborhood that surrounds the subject property contains a range of residential home styles with stucco, siding, and composite shingle roofing being the most common exterior materials. The immediate area includes one-story, single-family dwellings and some two-story single-family dwellings, as well as small apartment buildings.

**SURROUNDING LAND USES**

North: Atlantic Avenue - R-1 Zone, low density residential  
South: Buena Vista - R-1 Zone, low density residential  
East: Herman Street - R-1 Zone, low density residential  
West: Huntington Avenue - R-1 Zone, low density residential

**PROJECT INFORMATION**

The proposed project includes demolition of the existing house and detached garage and construction of a new two-story house with attached garage. As proposed, the new structure would include 2,629 s.f. of living space and a 490 s.f. garage for a total floor area of 3,119 s.f. If approved and constructed, the home would include 4 bedrooms, 3 ½ bathrooms, an office, living room, dining room, family room, and kitchen. The proposal includes many high quality features such as walk-in closets, two fireplaces, and dual master bathrooms.

An existing detached garage would be demolished and replaced by a new attached garage. The proposed garage would contain 490 s.f. with the parking area being 20'-11" wide and 20'-0" deep on one side and 22'-5" deep on the other side, plus approximately 67 s.f for the laundry area.

The proposed exterior materials include stucco finish, stucco window trim, stone at the base of the front façade, and composition shingle roofing. The paint colors include a warm white for the walls and khaki brown trim, both of which are complimentary to the proposed stone.

As proposed, the project complies with lot coverage, setback, height, and parking requirements of the Municipal Code. Project details are shown in the following table:

See next page

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		R-1	R-1	Same
Lot Area		5,120 s.f.	5,120 s.f.	Same
Lot Coverage		2,253 s.f. (44%)	1,476 s.f. (29%)	2,085 s.f. (41%)
Gross Floor Area		2,816 s.f.	1,476 s.f.	<b>3,119 s.f.</b>
Floor Area Ratio		.55	.29	<b>.61</b>
Building Setbacks	Front	15'-0"	20' to home	17' to home 20' to garage
	Rear	10'-0"	50'-3"	25'-1"
	W Side	5'-0"	5'	5'
	E Side	5'-0"	8'-6"	5'-6"
Building Height		28'-0"	15'-6"	25'-1"
Covered Parking		2 spaces	2 spaces	Same

(\*) Notes:

- No lot size adjustment needed for 5,120 s.f. lot
- Proposed lot coverage is 2,085 < 2,253 guideline
- Proposed floor area is 3,119 > 2,816 guideline
- Proposed new home will increase the FAR 111% compared to the existing home
- 2,629 s.f. living area < 2,800 guideline for 3-car garage

**Square Footage Breakdown:**

	Main Floor	Upper Floor	Garage	Total
Existing	1080	-	396	1476
Proposed Addition	475	1074	94	1643
Total	1555	1074	490	3119

**BACKGROUND**

The original proposal was for a total floor area of 3,369 s.f. Based on staff's recommendation, the applicant reduced the proposed floor area to 3,119 s.f. before the Architectural Review Committee (ARC) meeting.

ARC reviewed the project at its May 10, 2007 meeting. Staff expressed concerns about the proposed home being out of scale with the neighborhood and recommended reducing the mass of the home when viewed from the front elevation using methods such as: reducing the overall floor area of the home, or setting back the living room or garage farther from the front property line. The Committee supported the size and design of the home as proposed by the applicant in light of the transitional nature of the subject neighborhood. ARC forwarded the project to the Planning Commission with a favorable recommendation and the following comment:

- All windows to match

*Commissioners Biasotti, Sammut, and Chase were present for this item.*

Since the Architectural Review Committee hearing, the applicant has incorporated the suggested revision. The plans have been revised to show matching windows with grids.

### **NEIGHBORHOOD CONCERNS**

Staff mailed a courtesy notice to property owners adjacent to the subject site on April 25, 2007 and 300' notification on June 8, 2007. As of this report, staff have not received any concerns from neighbors.

### **ANALYSIS AND RECOMMENDATION**

The applicant is proposing to demolish the existing home and build a new home with a floor area ratio above the .55 guideline (.61). The new structure would include 2,629 s.f. of living space and a 490 s.f. garage for a total floor area of 3,119 s.f.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

With the condition that the applicant obtain a building permit prior to construction, the new residence will be constructed according to the Uniform Building Code (UBC) and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood. The proposed structure meets all required setbacks and all UBC safety requirements.

- 2. The proposed development will not be injurious or detrimental to property and improvement s in the neighborhood or to the general welfare of the city.**

The applicant is proposing a new home that complies with the height limit, setback requirements, and parking requirements of the Municipal Code. The second story is setback from the first story on all elevations, which provides visual interest and breaks up the mass of the structure. The front elevation includes architectural features such as cultured stone and arch elements integrated into the front porch and over the garage doors.

The proposed addition will benefit the City and the surrounding neighborhood by improving the property in a well designed manner and by its general conformance to a majority of regulations as set forth in the Municipal Code. Therefore, staff determines that the new residence will not be detrimental to improvements in the neighborhood or to the general welfare of the city.

- 3. The proposed development will be consistent with the general plan.**

The San Bruno General Plan designates the property as a low-density residential district. The proposed

single family dwelling is thus consistent with the residential general plan designation. The home's design will continue to accommodate a single family only and no portion is intended as a second unit. Any future establishment of a second dwelling unit on the property would require Planning Division approval.

- 4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.**

The proposal meets or exceeds the setback requirements on all sides of the home. The home would be 25'-1" in height, below the maximum of 28'. The roof design does not include any significant overhangs that would cause any undue or excessive shadowing of nearby properties. Therefore, staff finds that the proposed structure will not unreasonably restrict or interfere with light and air on the properties in the neighborhood.

The immediate neighborhood has been going through a transition, as several homes in the area have or will be undergoing significant additions or new construction. Although the proposed home would be among the larger homes in the area, the structure is well designed with the second story setback from the first story on all sides, and architectural features on the front façade to break up the mass. The proposed exterior of stucco and composition asphalt shingle roofing are in keeping with the neighborhood.

- 5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.**

As stated above, staff finds that the home is generally well designed and will be a positive addition to this transitional neighborhood. Specifically, the exterior building materials will include stucco, cultured stone, and composition shingle roofing. At the request of ARC, the applicant revised the plans to include matching windows with grids on all elevations. The on-street parking in the area should not be negatively impacted because the proposal includes a garage that exceeds the requirements of the Municipal Code with room for both parking and laundry facilities. The proposal also includes space to park two vehicles in the driveway. Therefore, the proposed development will not create additional parking issues on this narrow street.

- 6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.**

The project proposes a new two-car garage and 20' long driveway. The width of the driveway is limited somewhat by an existing electrical pole in the sidewalk. The applicant is proposing that the driveway be 16' wide at the curb cut and widen to approximately 24' to provide access to the garage and for off-street parking. The proposed garage would contain 490 s.f. with the parking area being 20'-11" wide and 20'-0" deep on one side and 22'-5" deep on the other side, plus approximately 67 s.f. for the laundry area.

The garage is designed to provide sufficient space for two parked cars, laundry facilities, and some storage. Staff is supportive of this garage design, which exceeds the requirements of the Municipal Code.

### **Recommendation**

Based on the above analysis and Findings of Fact 1-6 below, Staff recommends approval of Use Permit 07-006 subject to conditions 1-13 below.

### **FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since the addition will have been well designed with appropriate finished materials.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

### **CONDITIONS OF APPROVAL**

#### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-006 shall not be valid for any purpose. Use Permit 07-006 shall expire one (1) year from the date

- of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
  3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on June 19, 2007 labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
  4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
  5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
  6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
  7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code or storage. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
  8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

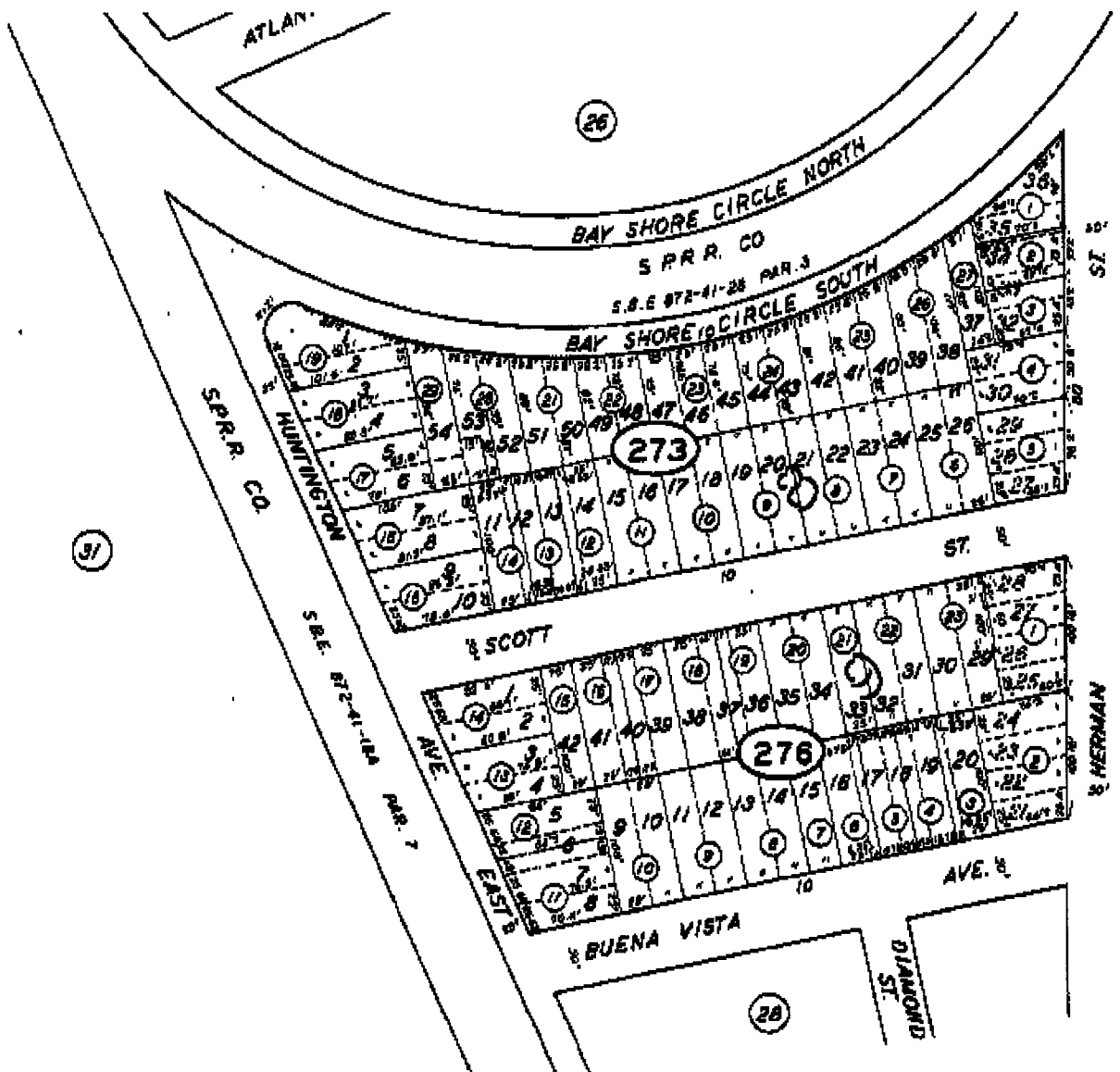
#### **Fire Department – (650) 616-7096**

9. Provide minimum 4" illuminated address numbers.
10. Provide hardwired smoke detectors with battery back up to all bedroom and hallway/corridors.
11. Provide spark arrestor on chimney if present.

#### **Department of Public Works – (650) 616-7065**

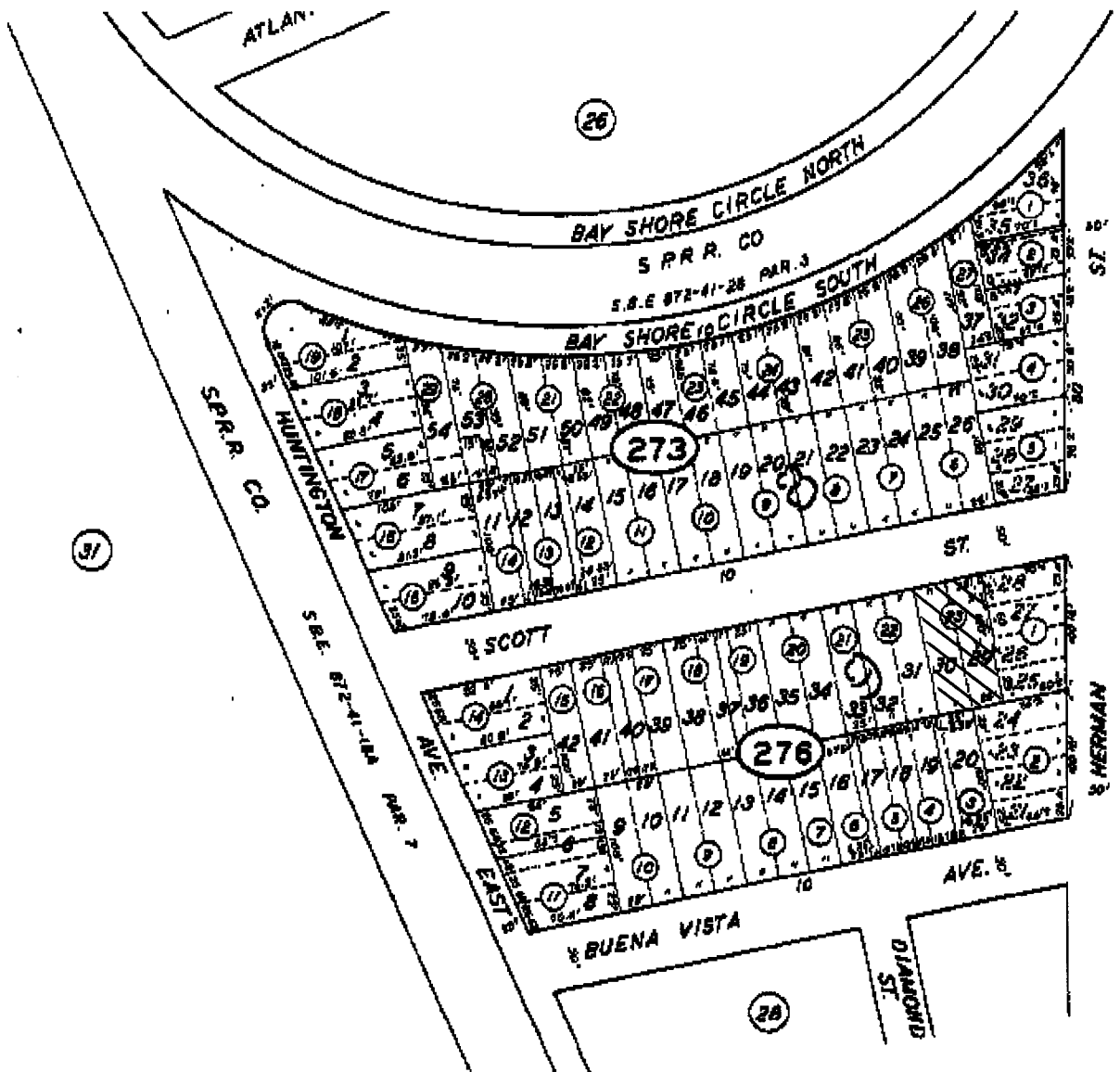
12. At the time the building permit is issued, applicant will need to pay tree planting fee of \$540.
13. Any damaged curb, gutter, sidewalk or driveway in public right of way in front of property will need to be removed and replaced. Any crack or offset of 3/4" or more would need to be repaired. Work in the public right of way will require issuance of a separate encroachment permit. All concrete work shall comply with city standard plans and specifications.

Submitted on June 8, 2007 by:  
Laura Russell  
Assistant Planner



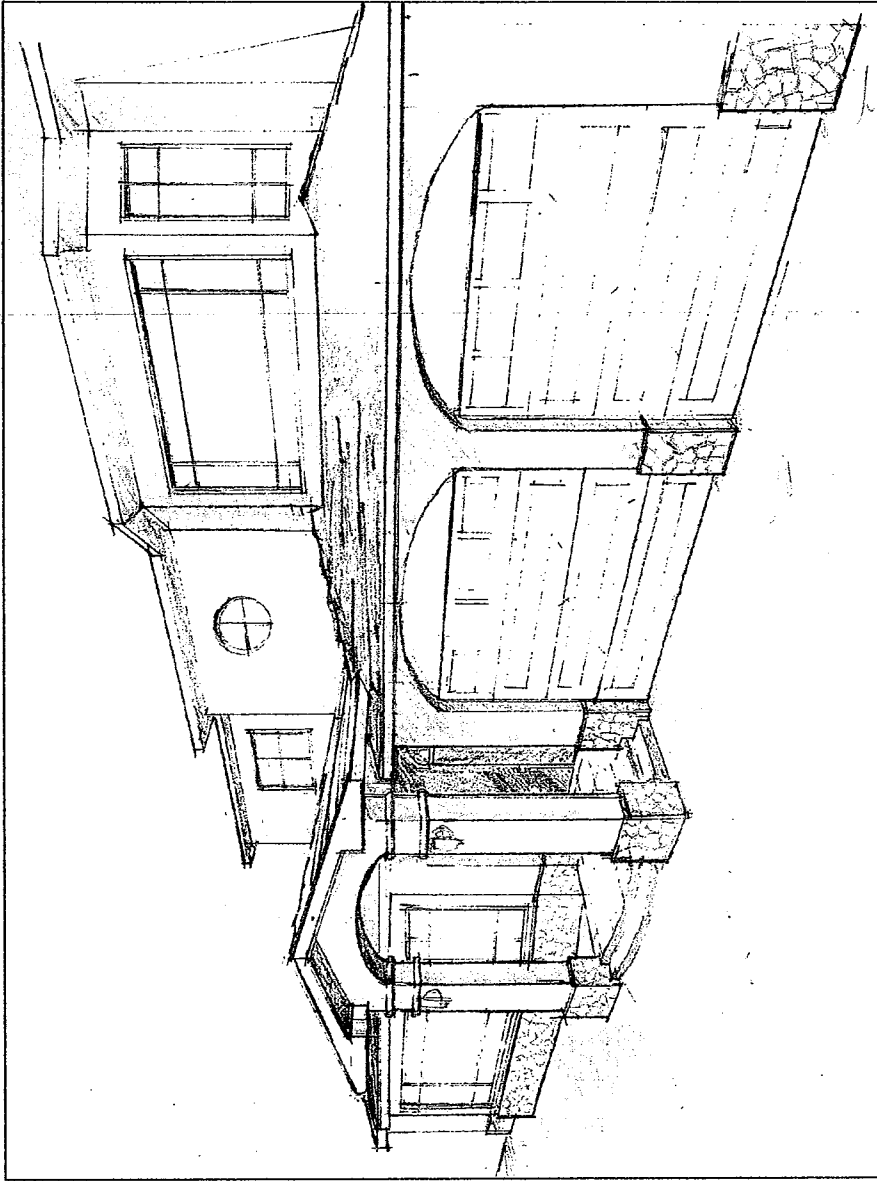
**73 Scott Street**  
**014-276-230**  
**UP 07-006**

**Exhibit A – Site Location**



73 Scott Street  
014-276-230  
UP 07-006

Exhibit A – Site Location



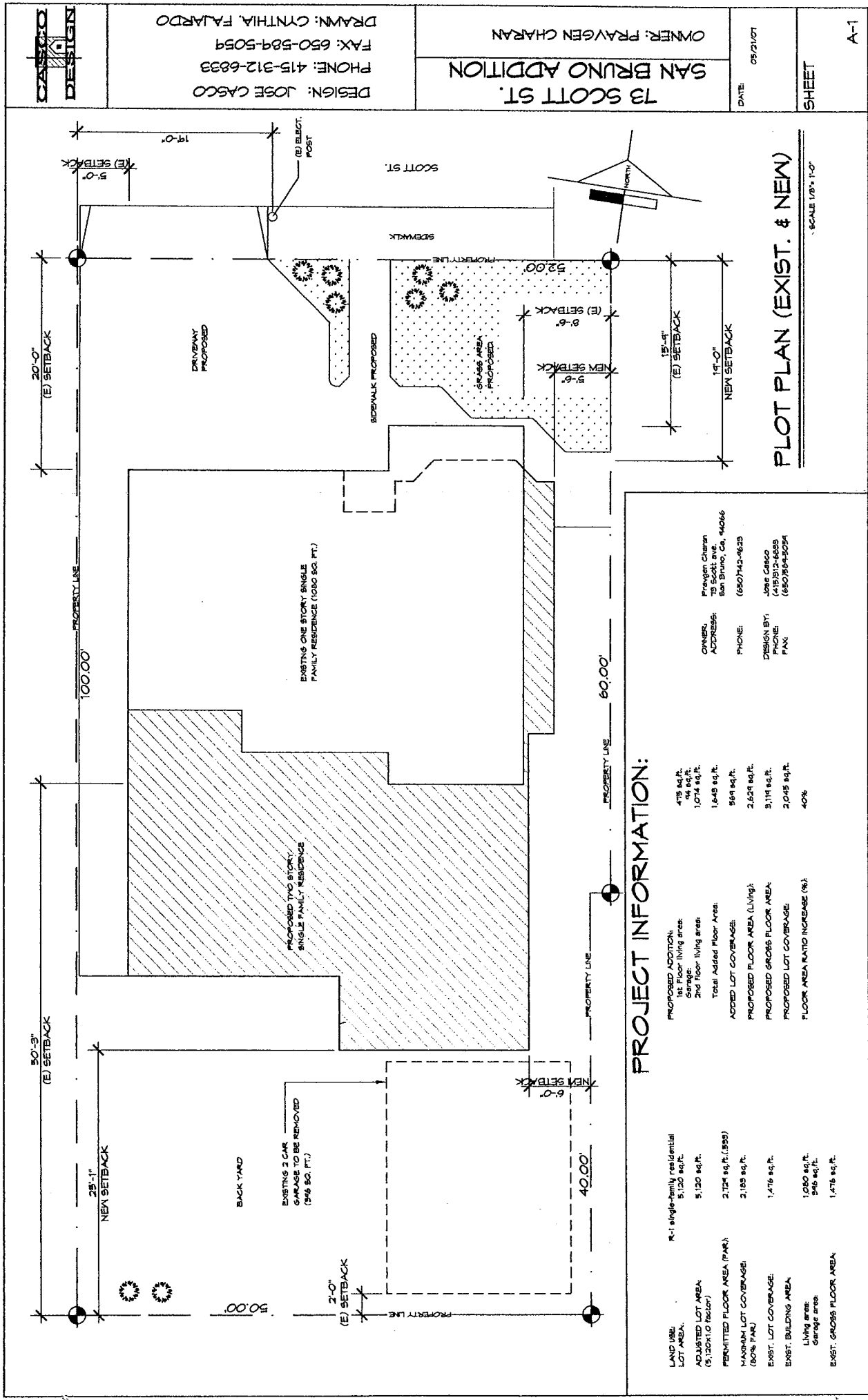
CASCO DESIGN

73 SCOTT AVE. San Bruno, Ca. 94066 -06/07

CITY OF SAN BRUNO  
COMMUNITY DEVELOPMENT DEPARTMENT

JUN 01 2007

RECEIVED



DESIGN: JOSE CASCO  
 PHONE: 415-312-6833  
 FAX: 650-584-5054  
 DRAWN: CYNTHIA FALJARDO

73 SCOTT ST.  
 SAN BRUNO ADDITION  
 OWNER: PRAVEEN CHARAN

DATE: 05/21/07

SHEET

A-1

### PROJECT INFORMATION:

LAND USE:	R-1 single-family residential
ADJUSTED LOT AREA:	5,120 sq. ft.
PERMITTED FLOOR AREA (PAR):	2,724 sq. ft. (55%)
MAXIMUM LOT COVERAGE:	2,185 sq. ft.
EXIST. LOT COVERAGE:	1,476 sq. ft.
EXIST. BUILDING AREA:	1,080 sq. ft.
EXIST. LOT COVERAGE:	946 sq. ft.
EXIST. GROSS FLOOR AREA:	1,476 sq. ft.
PROPOSED ADDITION:	
1st Floor living area:	475 sq. ft.
Garage:	44 sq. ft.
2nd Floor living area:	1,074 sq. ft.
Total Added Floor Area:	1,645 sq. ft.
ADDED LOT COVERAGE:	564 sq. ft.
PROPOSED FLOOR AREA (Living):	2,629 sq. ft.
PROPOSED GROSS FLOOR AREA:	3,114 sq. ft.
PROPOSED LOT COVERAGE:	2,045 sq. ft.
FLOOR AREA RATIO INCREASE (%):	40%

OWNER: Praveen Charan  
 ADDRESS: 73 Scott Ave.  
 San Bruno, Ca, 94066  
 PHONE: (650) 742-4623  
 DESIGN BY: Jose Casco  
 PHONE: (415) 312-6833  
 FAX: (650) 584-5054

### PLOT PLAN (EXIST. & NEW)

SCALE 1/8" = 1'-0"



DESIGN: JOSE CASCO  
PHONE: 415-312-6833  
FAX: 650-584-5054  
DRAWN: CYNTHIA FALJARDO

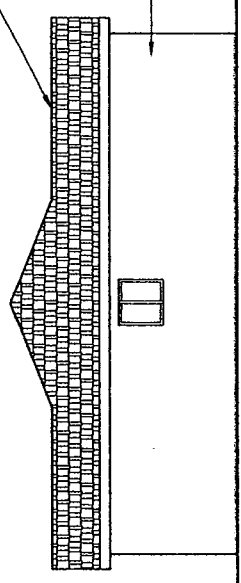
OWNER: PRAVEEN CHARAN  
SAN BRUNO ADDITION  
73 SCOTT ST.

DATE: 06/21/07

SHEET

A-2

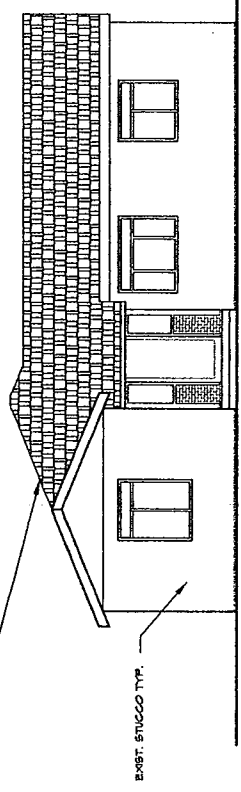
EXIST. CORR. ASPHALT SHINGLES



EXIST. STUCCO TYP.

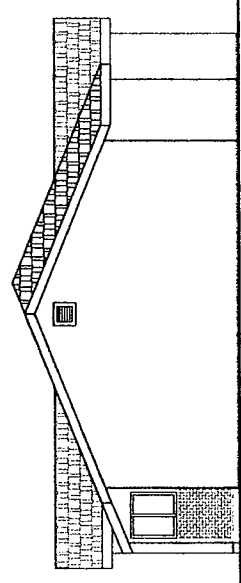
LEFT SIDE ELEVATION (EXIST.)

SCALE 1/8" = 1'-0"



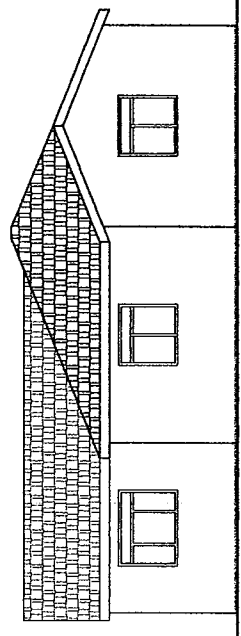
FRONT ELEVATION (EXIST.)

SCALE 1/8" = 1'-0"



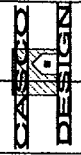
RIGHT SIDE ELEVATION (EXIST.)

SCALE 1/8" = 1'-0"



REAR ELEVATION (EXIST.)

SCALE 1/8" = 1'-0"



DESIGN: JOSE CASCO  
PHONE: 415-312-6833  
FAX: 650-584-5054  
DRAWN: CYNTHIA FALJARDO

73 SCOTT ST.  
SAN BRUNO ADDITION

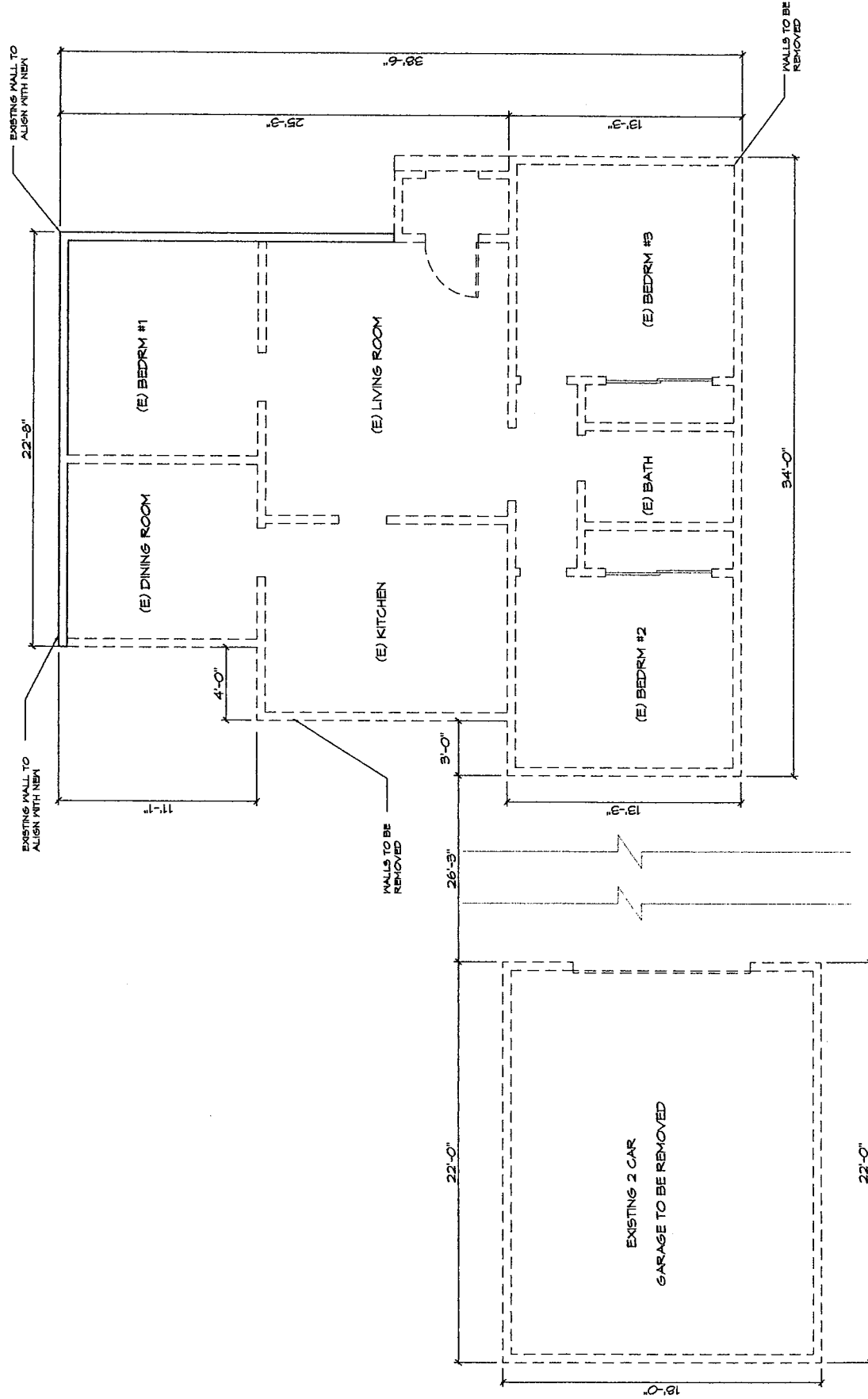
OWNER: PRAVEEN CHARAN

DATE

05/21/07

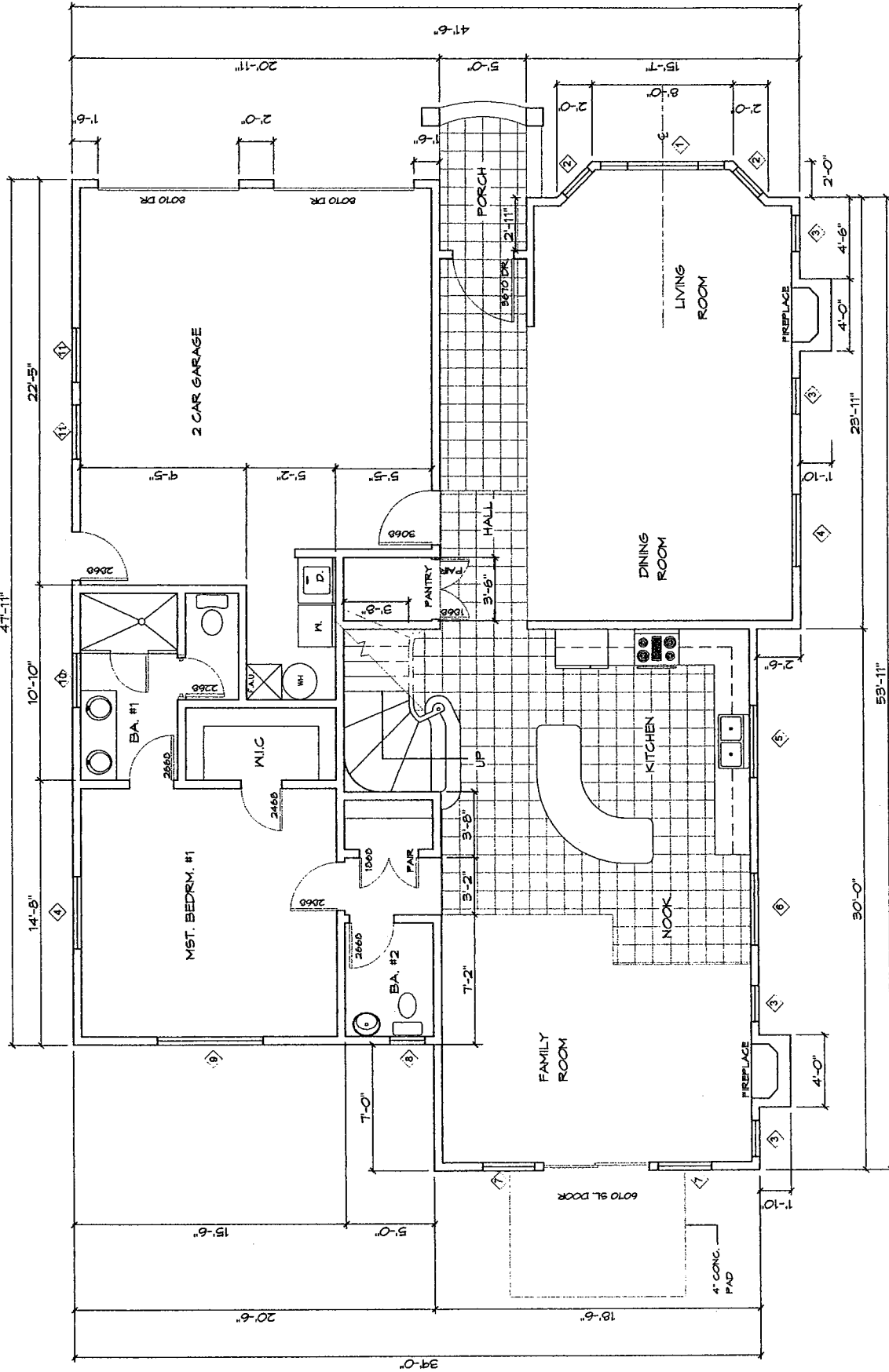
SHEET

A-3



# FLOOR PLAN (EXISTING & DEMOLITION)

SCALE 3/16"= 1'-0"



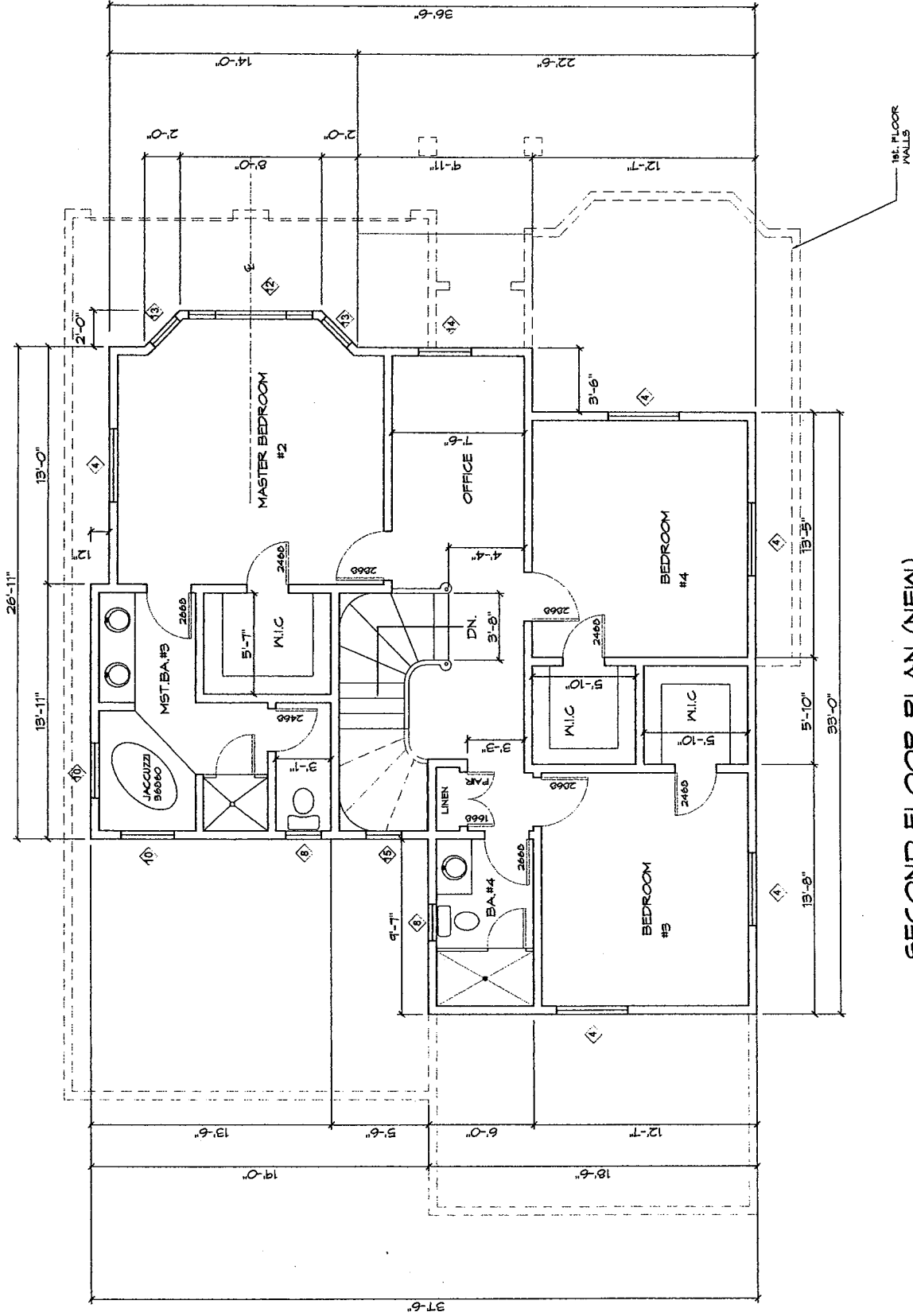
FIRST FLOOR PLAN (NEW)

SCALE 3/16"= 1'-0"

73 SCOTT ST.  
SAN BRUNO ADDITION

OWNER: PRAVGEN CHARAN

DESIGN: JOSE CASCO  
PHONE: 415-312-6833  
FAX: 650-589-5059  
DRAWN: CYNTHIA FALJARDO



## SECOND FLOOR PLAN (NEW)

SCALE 3/16" = 1'-0"



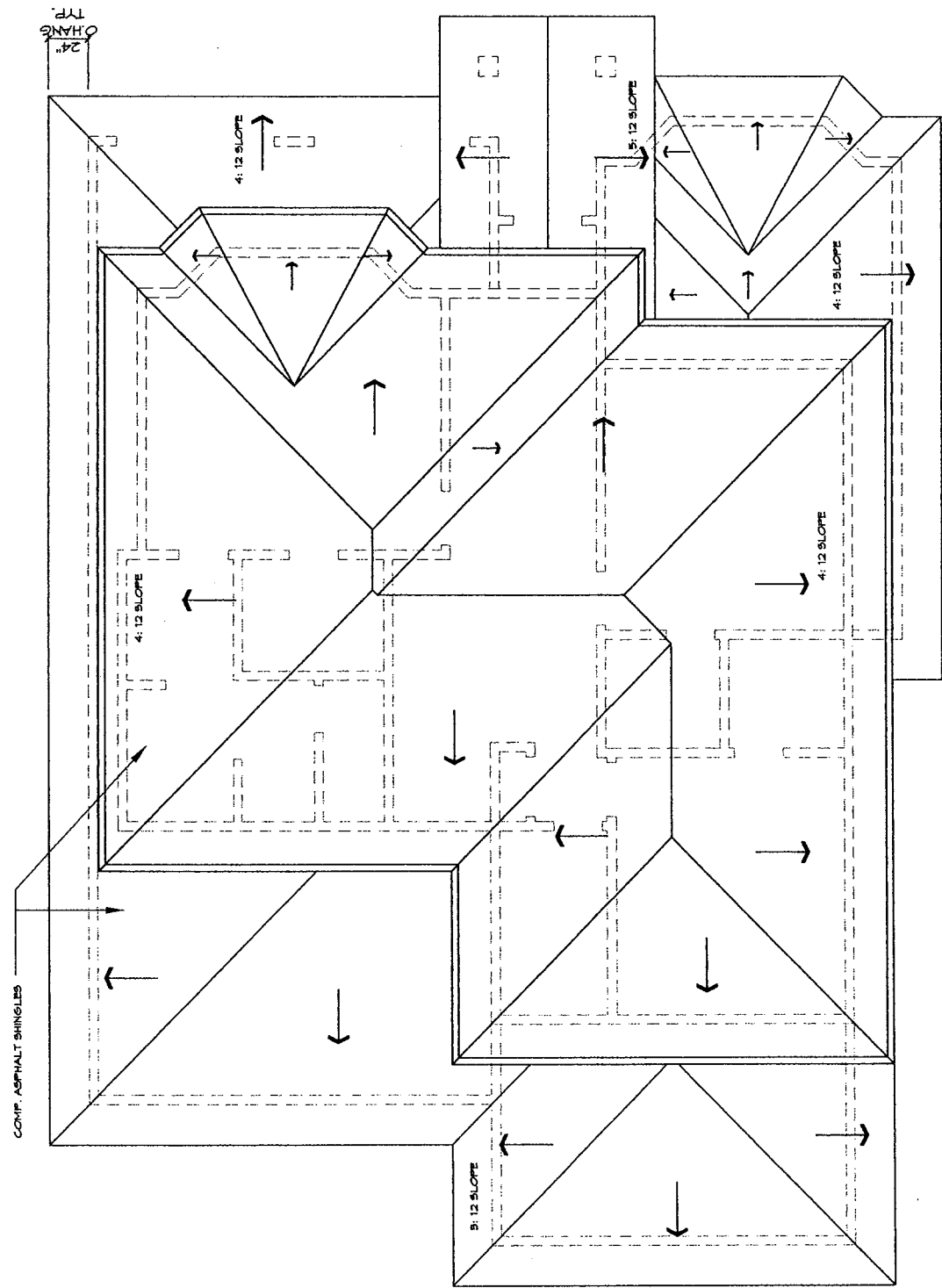
DESIGN: JOSE CASCO  
PHONE: 415-312-6833  
FAX: 650-584-5054  
DRAWN: CYNTHIA FALJARDO

73 SCOTT ST.  
SAN BRUNO ADDITION  
OWNER: PRAVEEN CHARAN

DATE: 05/21/07

SHEET

A-6



ROOF PLAN

SCALE 3/16"= 1'-0"

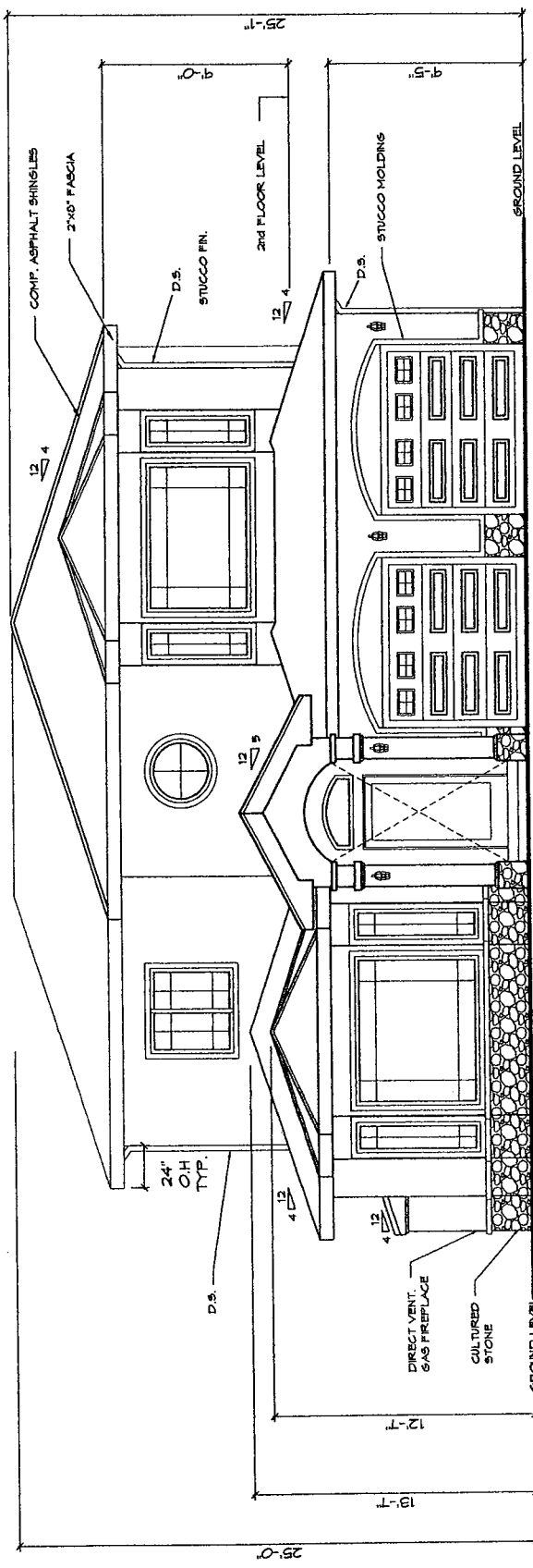


DESIGN: JOSE CASCO  
PHONE: 415-312-6833  
FAX: 650-584-5054  
DRAWN: CYNTHIA FALJARDO

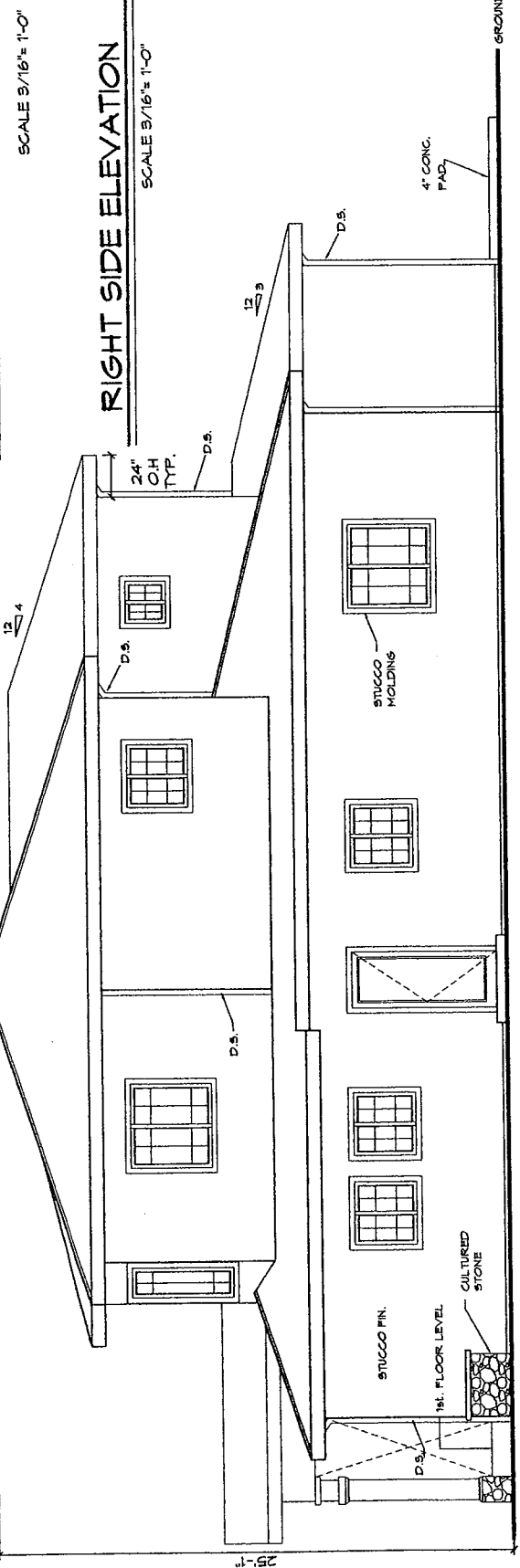
73 SCOTT ST.  
SAN BRUNO ADDITION  
OWNER: PRAVEEN CHARAN

DATE: 05/21/07

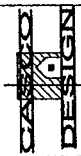
SHEET  
A-7



FRONT ELEVATION



RIGHT SIDE ELEVATION



DESIGN: JOSE CASCO  
PHONE: 415-312-6833  
FAX: 650-584-5054  
DRAWN: CYNTHIA FALJARDO

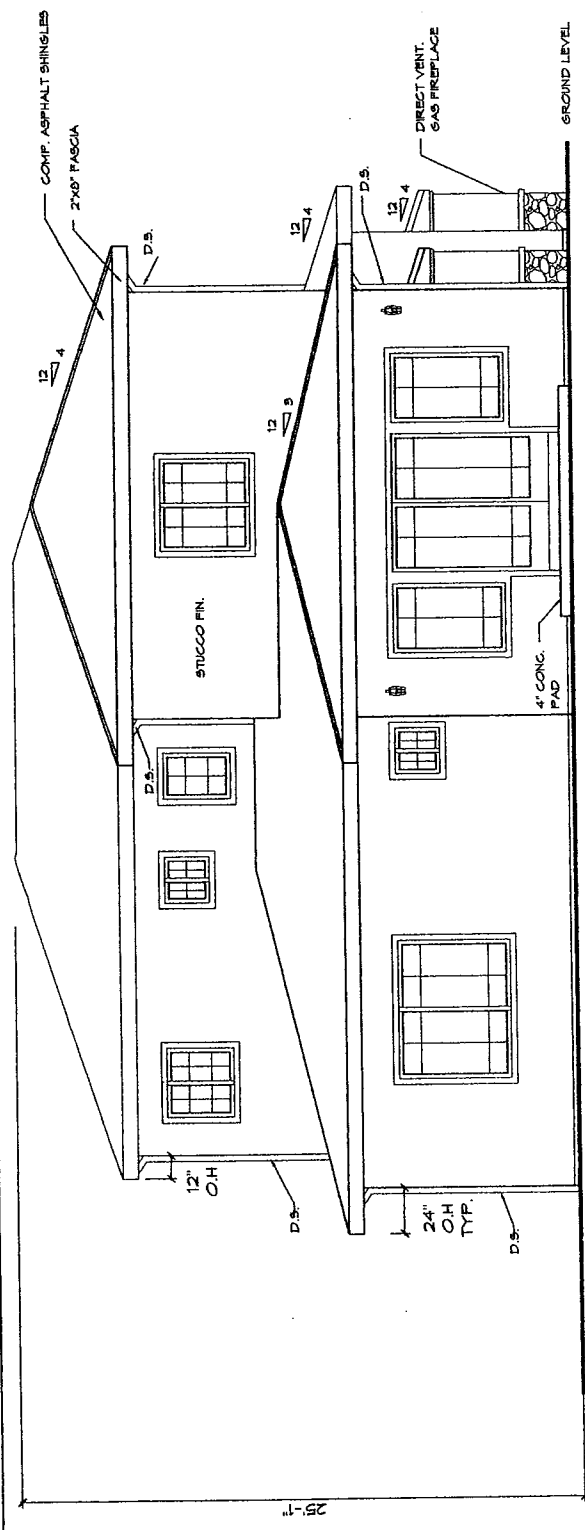
73 SCOTT ST.  
SAN BRUNO ADDITION

OWNER: PRAVEEN CHARAN

DATE: 08/21/07

SHEET

A-8

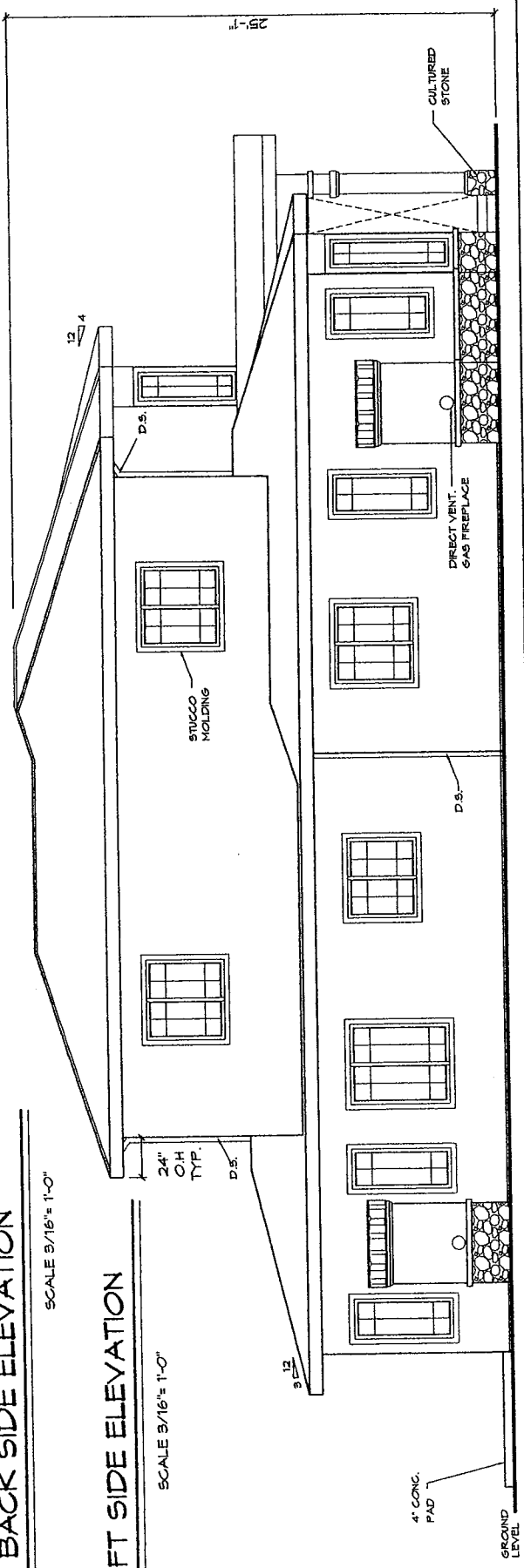


BACK SIDE ELEVATION

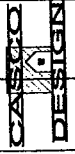
SCALE 3/16" = 1'-0"

LEFT SIDE ELEVATION

SCALE 3/16" = 1'-0"



◇ WINDOW SCHEDULE				
NO.	WIDTH	HEIGHT	TYPE	DESCRIPTION
1	7'-0"	6'-0"	FIXED	"MARVIN PEBBLEGLASS TYPE."
2	2'-0"	6'-0"	CASEMENT	"MARVIN PEBBLEGLASS TYPE."
3	2'-0"	5'-0"	FIXED	"MARVIN PEBBLEGLASS TYPE."
4	4'-0"	4'-0"	SLIDING	"MARVIN PEBBLEGLASS TYPE."
5	4'-0"	3'-6"	SLIDING	"MARVIN PEBBLEGLASS TYPE."
6	4'-0"	5'-0"	SLIDING	"MARVIN PEBBLEGLASS TYPE."
7	3'-0"	5'-0"	FIXED	"MARVIN PEBBLEGLASS TYPE."
8	2'-0"	2'-0"	SLIDING	"MARVIN PEBBLEGLASS TYPE." OBSCURE TINT."
9	6'-0"	5'-0"	SLIDING	"MARVIN PEBBLEGLASS TYPE."
10	3'-0"	3'-0"	SLIDING	"MARVIN PEBBLEGLASS TYPE." OBSCURE TINT."
11	3'-0"	3'-0"	SLIDING	"MARVIN PEBBLEGLASS TYPE."
12	7'-0"	5'-0"	FIXED	"MARVIN PEBBLEGLASS TYPE."
13	2'-0"	5'-0"	CASEMENT	"MARVIN PEBBLEGLASS TYPE."
14	3'-0"	3'-0"	ROUND	"MARVIN PEBBLEGLASS TYPE."
15	2'-0"	3'-0"	FIXED	"MARVIN PEBBLEGLASS TYPE."



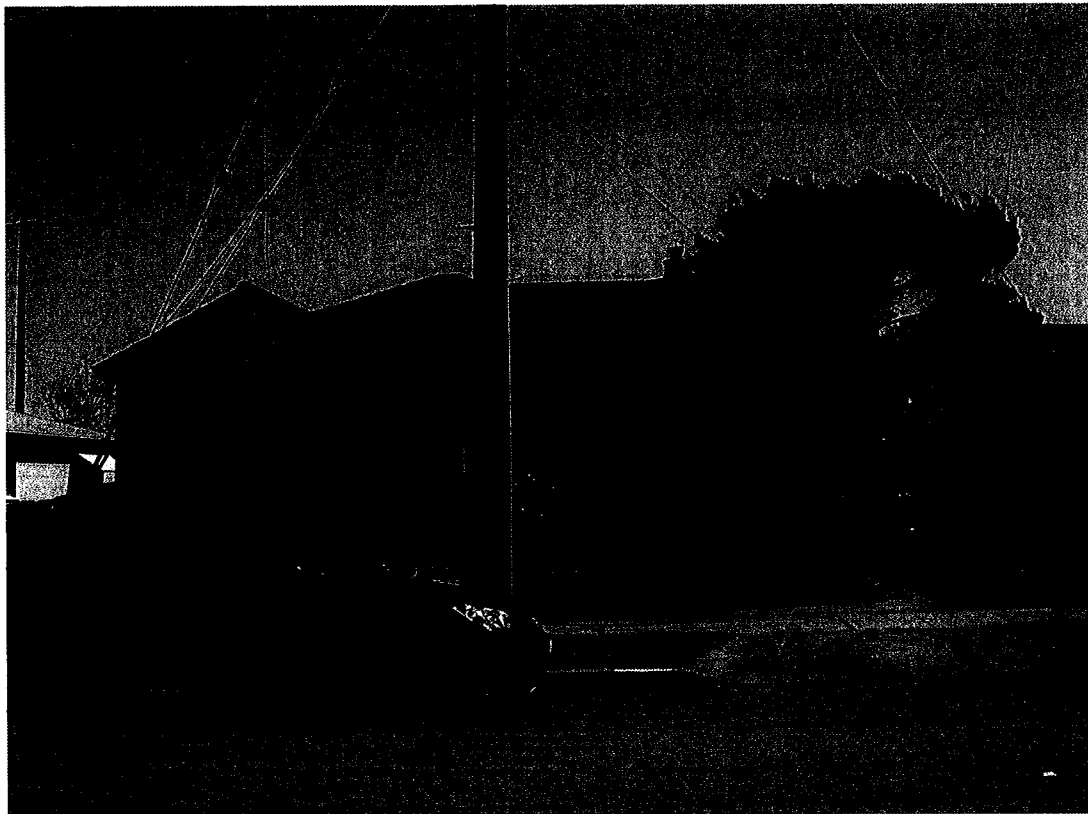
DESIGN: JOSE CASCO  
PHONE: 415-312-6833  
FAX: 650-584-5054  
DRAWN: CYNTHIA FALJARDO

73 SCOTT ST.  
SAN BRUNO ADDITION  
OWNER: PRAVEEN CHARAN

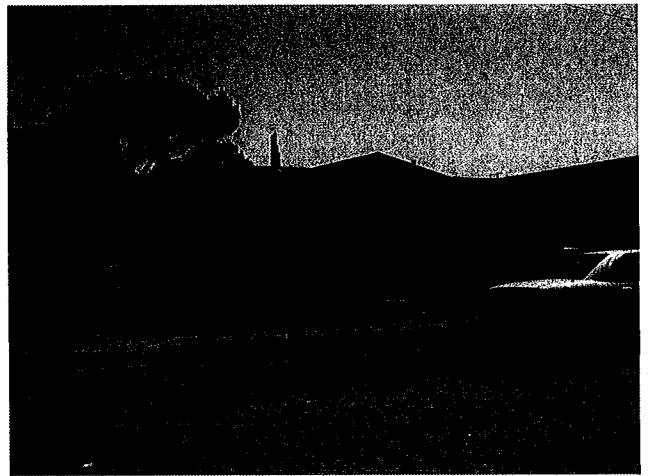
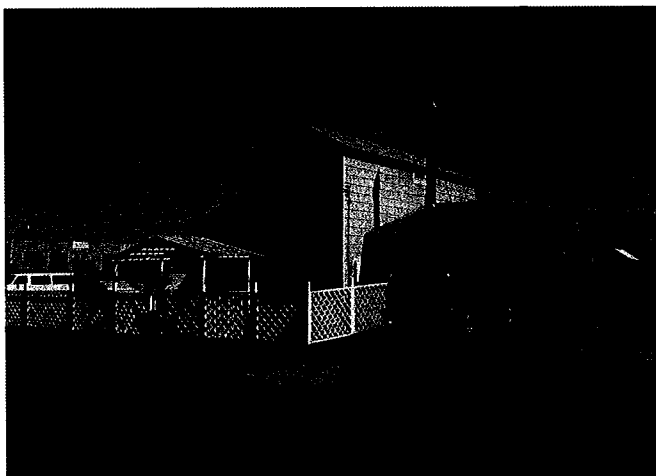
DATE: 08/21/07

SHEET

A-9



**Subject Site- 73 Scott Street**



**Adjacent properties**

**Exhibit C – Photo**

# SAN MATEO COUNTYWIDE SUSTAINABLE BUILDINGS CHECKLIST

	✓ No.	Item	Applicable Building Types	
<b>COMMUNITY PLANNING</b>	<b>Goal: Create a more sustainable community</b>			
	1	Build mixed-use developments and provide public amenities such as open space	c	m
	2	Cluster development to minimize paving and utilities, and to preserve open space	c	m
	3	Reuse a brownfield or previously occupied site	c	m
	4	Design for easy pedestrian, bicycle, and transit access	c	t m
<b>SITE &amp; LANDSCAPE</b>	<b>Goal: Respect your site</b>			
	5	Design and landscape to create comfortable micro-climates and reduce heat island effects	c	m s
	6	Optimize building orientation for heat gain, shading, daylighting, and natural ventilation	c	m s
	7	Reduce building footprint - smaller is better	c	m s
	✓ 8	Limit site impacts, balance cut and fill, preserve existing vegetation and protect soil during construction	c	m s
	9	Use native plants that are drought-resistant, create habitat for indigenous species, and do not require pesticides for maintenance	c	m s
	✓ 10	Use recycled rubble for backfill drain rock	c	m s
	<b>Goal: Save water and reduce local water impacts</b>			
	11	Maximize onsite stormwater management through landscaping and permeable pavement	c	m s
	12	Use rainwater harvesting	c	m s
<b>WASTE REDUCTION &amp; MANAGEMENT</b>	13	Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones	c	m s
	<b>Goal: Reduce, reuse, recycle</b>			
	14	Reuse a building (renovate) instead of tearing down and rebuilding	c	t m s
	15	Deconstruct old buildings for materials reuse (salvage)	c	t m s
	✓ 16	Recycle construction & demolition waste	c	t m s
<b>CONCRETE</b>	17	Design for durability and eventual reuse	c	t m s
	18	Provide adequate space for storing and handling recyclables	c	t m s
	<b>Goal: Make concrete with sustainable materials</b>			
	19	Use flyash in concrete	c	t m s
	20	Use recycled aggregate in non-structural concrete	c	t m s
<b>WOOD FRAMING</b>	21	Use prefabricated forms or save and reuse wood form boards	c	t m s
	<b>Goal: Design to save wood and labor</b>			
	✓ 22	Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance	c	t m s
	✓ 23	Use engineered lumber or metal stud framing to replace solid-sawn lumber	c	t m s
	<b>Goal: Support sustainable forests</b>			
<b>EXTERIOR TREATMENTS, SIDING &amp; ROOFING</b>	24	Use sustainably harvested lumber (FSC certified) for wood framing	c	t m s
	25	Use reclaimed or salvaged lumber	c	t m s
	<b>Goal: Make a sustainable roof</b>			
	✓ 26	Use durable roofing materials	c	m s
	27	Use a cool roof	c	m
<b>WINDOWS &amp; DOORS</b>	28	Use a green or living roof	c	m s
	<b>Goal: Support healthy environments and sustainable forests</b>			
	29	Use sustainable siding materials	c	m s
	30	Use sustainable decking materials	c	m s
	<b>Goal: Save energy through passive design</b>			
<b>PLUMBING</b>	31	Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees	c	m s
	32	Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments	c	t m s
	33	Choose window sizes, frame materials, and glass coatings to optimize energy performance	c	m s
	✓ 34	Stop air leakage at doors and windows	c	m s
	<b>Goal: Save water and energy in plumbing systems</b>			
<b>PLUMBING</b>	✓ 35	Use water-conserving plumbing fixtures	c	t m s
	✓ 36	Use water-saving appliances and equipment	c	t m s
	✓ 37	Insulate hot and cold water pipes	c	t m s
	✓ 38	Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps	c	t m s
	39	Pre-plumb for future graywater use for toilet flushing and landscape irrigation	c	m s
<b>Goal: Reduce environmental impacts from materials production</b>				
40	Use sustainable materials for pipes	c	t m s	



## Checklist

NAME: Joe Laro  
 SITE ADDRESS: 73 Scott St.  
 PERMIT NUMBER: \_\_\_\_\_

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the Recycleworks hotline at 1-888-442-2666.

c Commercial/  
Industrial  
 t Tenant  
Improvement  
 m Multi-family  
housing  
 s Single-family  
home

# SAN MATEO COUNTYWIDE SUSTAINABLE BUILDINGS CHECKLIST



## checklist

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the RecycleWorks hotline at 1-888-442-2666.

No.	Item	Applicable Building Types
<b>Goal: Save energy in lighting</b>		
41	Design lighting levels for actual use, and use task lighting to reduce general lighting levels	c t m s
42	Use energy-efficient lamps and lighting fixtures	c t m s
43	Use lighting controls that save energy such as occupancy sensors	c t m s
<b>Goal: Save energy in equipment use</b>		
44	Use ENERGY STAR® appliances	c t m s
45	Use a building energy management system	c t m
<b>Goal: Save energy through passive design</b>		
46	Use passive solar design, thermal mass, and insulation to reduce space heating needs	c m s
47	Replace air conditioning with natural ventilation and passive cooling	c m s
48	Use ceiling fans for comfort cooling, and use a whole-building fan for night-time cooling	c t m s
49	Upgrade wall, floor, and ceiling insulation to exceed minimum State requirements	c m s
<b>Goal: Save energy in equipment use</b>		
50	Use high-efficiency equipment including furnaces, boilers, fans, and pumps	c m s
51	Use heat recovery equipment	c m s
52	Use geothermal systems, cogeneration, or other alternatives for heating and cooling	c m
53	Place ductwork within conditioned space, seal joints properly, and clean before occupancy	c t m s
54	Zone mechanical systems for more efficient heating and cooling	c t
55	Use radiant and hydronic systems for increased efficiency, health, and comfort	c t m s
56	Use equipment without ozone-depleting refrigerants	t m
<b>Goal: Create healthy indoor environments</b>		
57	Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products	c t m s
58	Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality	c t m s
59	Use clean and efficient alternatives to wood-burning fireplaces	m s
<b>Goal: Replace fossil fuel use with alternatives</b>		
60	Generate clean electricity onsite using solar photovoltaics	c m s
61	Generate clean electricity onsite using wind turbines	c m s
62	Use solar hot-water systems for domestic use and swimming pools	c m s
63	Use solar hot-water systems for space heating	c m s
64	Pre-plumb for a solar hot-water system	c m s
<b>Goal: Create healthy indoor environments</b>		
65	Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives	c t m s
66	Use low- or no-VOC carpets, furniture, particleboard, and cabinetry	c t m s
67	Use exposed concrete as a finished floor	c t m s
68	Use natural materials such as wool and sisal for carpets and wallcoverings	c t m s
69	Use sustainable materials for flooring, trim, and interior surfaces	c t m s
<b>Goal: Support the market for recycled materials</b>		
70	Use recycled-content floor tile, carpets and pads, cabinets, and countertops	c t m s
<b>Goal: Support sustainable forests</b>		
71	Use reclaimed / salvaged, sustainably harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork	c t m s
<b>Goal: Use creativity and innovation to build more sustainable environments</b>		
72	Use insulated concrete forms	c m s
73	Use structural insulated panels to replace wood-framed walls	c t m s
74	Use natural building materials and techniques	c m s
75	Other sustainable methods or materials used. <i>Please describe:</i>	c t m s

### KEY

- c Commercial/Industrial
- t Tenant Improvement
- m Multi-family housing
- s Single-family home

Applicant Signature: \_\_\_\_\_



567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
Fax: (650) 873-6749  
<http://www.ci.sanbruno.ca.us>

**STAFF**

Aaron Akin, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Lisa Costa Sanders, *Acting Planning Manager*  
Tony Rozzi, *Assistant Planner*  
Laura Russell, *Assistant Planner*  
Pamela Thompson, *City Attorney*

**PLANNING COMMISSION**

Rick Biasotti, *Chair*  
Bob Marshall, Jr., *Vice-Chair*  
Kevin Chase  
Mary Lou Johnson  
Perry Petersen  
Joe Sammut  
Sujendra Mishra

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. E3  
June 19, 2007**

**PROJECT LOCATION**

1. Address: 565 4<sup>th</sup> Avenue
2. Assessor's Parcel No: 020-204-060
3. Zoning District: R-1 (Single Family Residential District)
4. General Plan Classification: Low Density Residential

**EXHIBITS**

- A: Site Location  
B: Site Plan, Floor Plans, and Elevations  
C: Photos  
D: San Mateo Countywide Sustainable Buildings Checklist

**REQUEST**

Request for a Use Permit to allow the construction of an addition which increases the gross floor area by greater than 50% (81%) and proposes lot coverage that exceeds the 2,200 s.f. guideline (2,260) per Sections 12.200.030.B.1 and 12.200.030.B.3 of the San Bruno Zoning Ordinance. Jim Garcia (Applicant), Angelica Gonzalez (Owner) **UP-07-007**.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve Use Permit 07-007 based on Findings of Fact 1-6 and subject to conditions 1-13.

**LEGAL NOTICE**

1. Notices of public hearing mailed to owners of property within 300 feet on June 8, 2007.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, June 9, 2007.

**ENVIRONMENTAL ASSESSMENT**

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines **Class 1, Section 15303(A): New Construction of a Single Family Residence/Conversion of a Structure.**

**EXISTING CONDITIONS**

The subject property is located on 4<sup>th</sup> Avenue, south of Angus Avenue East. This is a rectangular, standard sized lot of 5,000 square feet. The property is currently developed with a traditional style home built in 1940 and two small accessory structures used for storage. It is a single-story residence with two

bedrooms, one bathroom, an enclosed sun porch, and a one-car garage. This home is located in the Belle Air Park subdivision, which is made up of mid 20<sup>th</sup> century single-family residences. Adjacent to the subject property are other single-family structures.

### **SURROUNDING LAND USES**

North: Angus Avenue East - R-1 Zone, single-family residential  
 South: Belle Air Elementary School - R-1 Zone, single-family residential  
 East: 5<sup>th</sup> Avenue- R-1 Zone, single-family residential  
 West: 3<sup>rd</sup> Avenue- R-1 Zone, single-family residential

### **PROJECT INFORMATION**

The proposed project includes demolition of the enclosed sun porch and an addition straight back from the existing single-story house. Specifically, the project would add 917 s.f. including two bedrooms, a family room, a bathroom, and an expanded garage to accommodate one car and laundry facilities. One existing bedroom would be remodeled into a new media room.

The applicant is proposing to remove the existing horizontal siding and replace it with a new stucco exterior. The wall color is proposed to be a warm cream color with brown trim, and composition shingle roofing to match the existing.

If approved and constructed, this would be a 3 bedroom and 2 bathroom home. As proposed, the project complies with floor area, setback, height, and parking requirements of the Municipal Code. Project details are shown in the following table:

<b>SITE CONDITIONS</b>		<b>ZONING REQUIREMENTS</b>	<b>EXISTING CONDITIONS</b>	<b>PROPOSED CONDITIONS</b>
<b>Land Use</b>		R-1	R-1	Same
<b>Lot Area</b>		5,000 s.f.	5,000 s.f.	Same
<b>Lot Coverage</b>		2,200 s.f. (44%)	1,343 s.f. (27%)	<b>2,260 s.f. (45%)</b>
<b>Gross Floor Area</b>		2,750 s.f.	1,126 s.f.	2,043 s.f.
<b>Floor Area Ratio</b>		.55	.23	.41
<b>Building Setbacks</b>	<b>Front</b>	15'-0"	15' to home 25' to garage	Same
	<b>Rear</b>	10'-0"	55'-3"	23'-5"
	<b>R Side L Side</b>	5'-0"	6'-10" 6'-9"	Same
<b>Building Height</b>		28'-0"	15'-2"	Same
<b>Covered Parking</b>		2 spaces	1 space	Same

Notes:

- No lot size adjustment needed for 5,000 s.f. lot
- Expansion of greater than 50% (81% increase)
- Proposed lot coverage is 2,260 > 2,200 guideline
- Proposed total living area 1,789 s.f. < 1,825 s.f. two car guideline

### Square Footage Breakdown:

	Living Area	Enclosed Porch	Garage	Accessory Buildings	Total
Existing	749	180	197	196	1322
Proposed Addition	1040	-180	57	0	917
Total	1789	0	254	196	2239

### **BACKGROUND**

The original proposal included maintaining the existing horizontal wood siding. At the May 10, 2007 Architectural Review Committee meeting, the applicant asked if changing the exterior to stucco would be acceptable. ARC advised that it would be okay, but that they should redesign the front porch to be more substantial.

The Committee forwarded the project to the Planning Commission with a favorable recommendation and the following comments:

- Provide a landscaping plan for the Planning Commission meeting.
- All windows to match.
- Make the porch more prominent if the exterior is to be stucco.

*Commissioners Biasotti, Sammut, and Chase were present for this item.*

Since the Architectural Review Committee hearing, the applicant has revised the plans to include all of the recommendations.

### **NEIGHBORHOOD CONCERNS**

Staff mailed a courtesy notice to property owners adjacent to the subject site on April 25, 2007 and 300' notification on June 9, 2007. Staff have not received any comments as of this report.

### **ANALYSIS AND RECOMMENDATION**

The applicant is proposing a single story addition of 917 s.f. to the home. The project would increase the existing gross floor area by 81% and exceed the 2,200 s.f. lot coverage guideline (2,260 proposed) This project requires a Use Permit because it proposes a greater than 50% expansion in gross floor area. If the project did not propose greater than 50% increase, the lot coverage could be approved by the Architectural Review Committee through a Minor Modification.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

With the condition that the applicant obtain a building permit prior to construction, the addition will be constructed according to the Uniform Building Code (UBC) and therefore will not be detrimental to the

health, safety and general welfare of the persons residing in the neighborhood. The addition will be built straight back from the existing home in compliance with all setback requirements to provide for fire safety and egress requirements. There is no record of a building permit for the addition of the enclosed sunroom, so staff finds that the demolition of the sunroom and building of new habitable living area will improve the general safety of the site.

**2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

The applicant is proposing an addition to a single story home in the Belle Air Park Subdivision. The neighborhood includes homes with architecture similar to the subject site, with stucco, siding and composition roofs being the primary exterior building materials. The proposed expansion would utilize stucco and composition shingle roofing. The alterations to the home would be in character to homes in the immediate area and should benefit the neighborhood and city through investment in a small home on a standard sized lot.

The proposal will complement the current neighborhood in terms of scale, exterior building materials, and by its conformance to a majority of regulations as set forth in the Municipal Code. Therefore, staff determines that the addition will not be detrimental to improvements in the neighborhood or to the general welfare of the City.

**3. The proposed development will be consistent with the general plan.**

The San Bruno General Plan designates the property as a low-density residential district. The proposed single family dwelling is thus consistent with the residential general plan designation.

Goal 3 of the City's 1984 General Plan states "encourage public and private development which is aesthetically sensitive to the surrounding environment and is of the highest quality design and construction." Staff finds that the architecture of the addition will be in character with existing homes in the nearby area and the project will use similar finish materials. The proposed addition, which will be built in compliance with the Uniform Building Code, will be an improvement over the existing enclosed sunroom.

General Plan Residential Policy 1 states "protect the residential character of existing residential neighborhoods." The proposal will be complementary to other single family homes in the area and will reinforce the residential character of the neighborhood through improvements to the home that make it better suited to modern family life.

**4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.**

The proposal is single story and meets or exceeds all setback requirements of the Municipal Code. The height of the home is 15'-2", well below the limit of 28". Therefore, the structure should not unreasonably

restrict or interfere with light and air on the adjacent properties.

If approved and completed, the size of the subject home will appear to be consistent with or smaller than homes in the immediate vicinity. The subject lot is 5,000 s.f., allowing a floor area of 2,750 s.f. With the addition, the subject site will be 2,043 s.f. The new living area (built to the Uniform Building Code) will be an improvement over the existing sunroom, which will be demolished. This addition should encourage other appropriate development and investment in the neighborhood.

**5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.**

As stated above, staff finds that the design is compatible with the neighborhood and the existing home. Specifically, the exterior building materials including stucco and composition shingle roofing will be in character with surrounding homes.

The expanded residence will be an improvement not only to the subject property, but also to the established neighborhood, which is comprised of a range of mid 20<sup>th</sup> century single-family homes. The on-street parking in the area should not be negatively impacted because the existing one-car garage will be expanded to accommodate both parking and laundry facilities.

**6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.**

The project proposes that a one-car garage remain, attached at the front of the property. Based on a recommendation by staff, the applicant increased the length of the garage to 23'-1" to accommodate a standard sized space of 10' x 20' and laundry facilities. With a condition requiring the garage always be available to park one car and the fact that a 25' long driveway exists which can accommodate one additional vehicle, all off-street parking standards for existing homes will be met with this proposal.

**Recommendation**

Based on the above analysis and Findings of Fact 1-6 below, Staff recommends approval of Use Permit 07-007 subject to conditions 1-13 below.

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.

3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since the addition is will designed with appropriate finished materials.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

## **CONDITIONS OF APPROVAL**

### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-007 shall not be valid for any purpose. Use Permit 07-007 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on June 19, 2007 labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code or storage. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform

to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

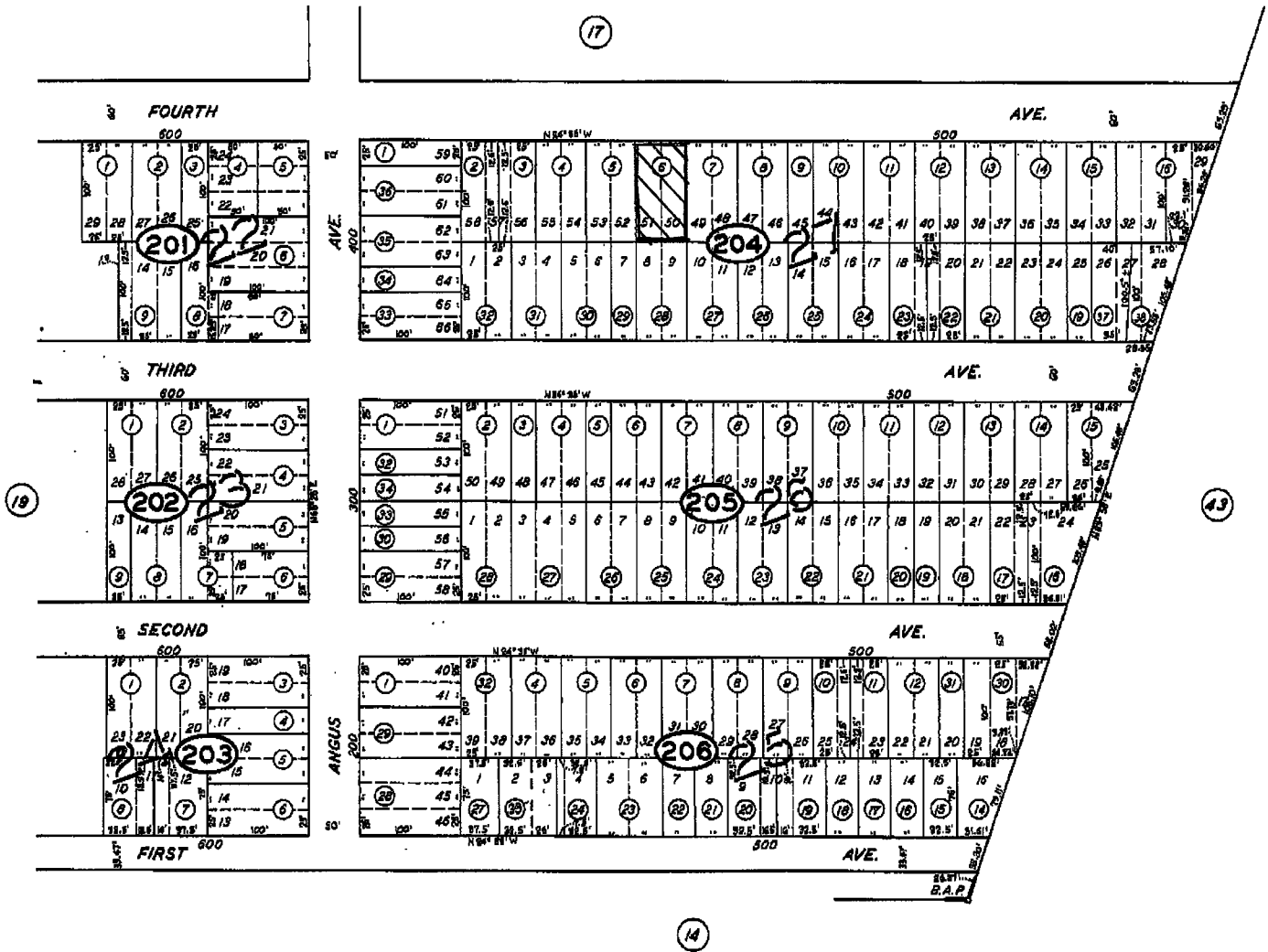
**Fire Department – (650) 616-7096**

9. Provide minimum 4" illuminated address numbers.
10. Provide hardwired smoke detectors with battery back up to all bedroom and hallway/corridors.
11. Provide spark arrestor on chimney if present.

**Department of Public Works – (650) 616-7065**

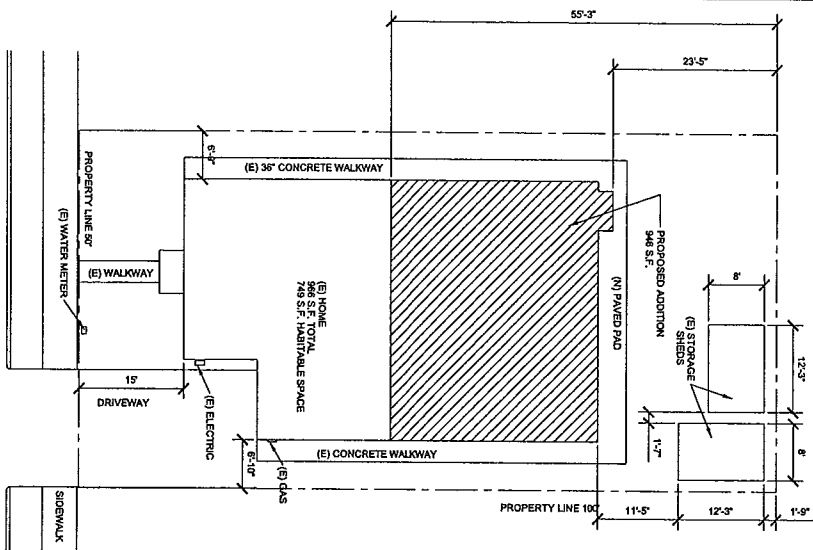
12. At the time the building permit is issued, applicant will need to pay tree planting fee of \$540.
13. Any damaged curb, gutter, sidewalk or driveway in public right of way in front of property will need to be removed and replaced. Any crack or offset of 3/4" or more would need to be repaired. Work in the public right of way will require issuance of a separate encroachment permit. All concrete work shall comply with city standard plans and specifications.

Submitted on June 8, 2007 by:  
Laura Russell  
Assistant Planner



565 4<sup>th</sup> Avenue  
 020-204-060  
 UP 07-007

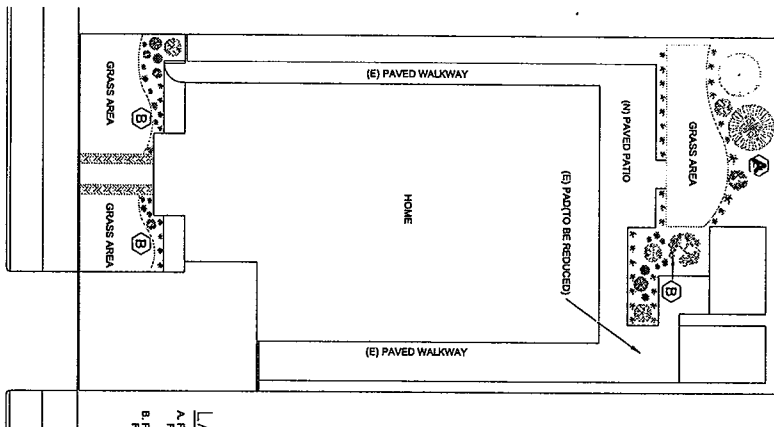
Exhibit A – Site Location



FOURTH AVENUE

# 1 SITE PLAN

1/8" = 1'-0"



# 2 LANDSCAPE PLAN

1/8" = 1'-0"

LOT SIZE - 4000 S.F.  
EXISTING LOT COVERAGE - 1337 S.F.  
PROPOSED LOT COVERAGE - 2247 S.F.  
EXISTING HABITABLE FLOOR AREA - 748 S.F.  
PROPOSED HABITABLE FLOOR AREA - 1084 S.F.  
COVERED PARKING SPACES - 1

# PROJECT DATA

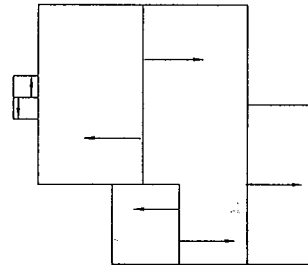
PAGE INDEX:  
A1. SITE PLAN/NOTES  
A2. EXISTING/PROPOSED FLOOR PLANS  
A3. EXISTING ELEVATIONS  
A4. PROPOSED ELEVATIONS

LANDSCAPE LEGEND  
A. PLANTED AREA: FRUIT, AND EVERGREEN TREES  
FLOWERING EVERGREEN PERENNIALS AND SHRUBS  
B. PLANTED AREA: FLOWERING EVERGREEN SHRUB,  
FLOWERING EVERGREEN PERENNIALS

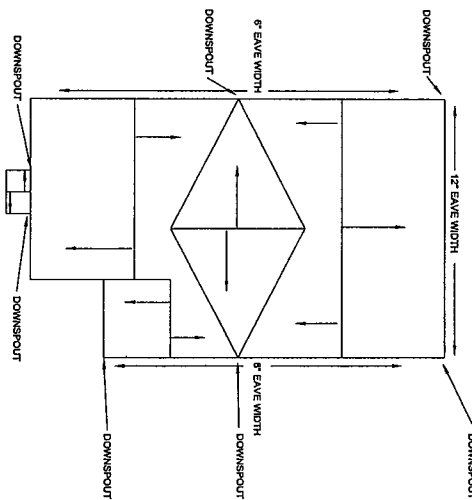
# 3 VICINITY MAP



# 4 (E) ROOF PLAN



# 5 PROPOSED ROOF PLAN



# Exhibit B - Site, Floor & Elevation Plans

GENERAL NOTES  
GONZALEZ RESIDENCE  
565 FOURTH AVENUE  
SAN BRUNO, CALIFORNIA 94066  
PROJECT SHALL CONSIST OF TYPE VA CONSTRUCTION  
REVISION OR WORK ADDING A FAMILY ROOM, BATHROOM, AND TWO BEDROOMS  
TO THE REAR OF THE HOME. AN EXISTING BEDROOM WILL BE CONVERTED TO A MEDIA ROOM.  
ALL WORK AND STRUCTURES SHALL CONFORM TO 2001 CALIFORNIA BUILDING CODES  
CALIFORNIA PLUMBING CODES, CALIFORNIA MECHANICAL CODES, AND CALIFORNIA ELECTRICAL CODES AND TO THE CITY STANDARDS OF THE CITY OF SAN BRUNO

SITE PLAN/PROJECT INFORMATION  
GONZALEZ RESIDENCE  
565 4TH AVENUE  
SAN BRUNO, CALIFORNIA

DRAWN BY:  
JIM GARCIA  
538 COTTA COURT  
VALLEJO, CA 94589  
707.704.8660

REVISIONS:

RECEIVED

JUN 01 2007

# WALL SCHEDULE

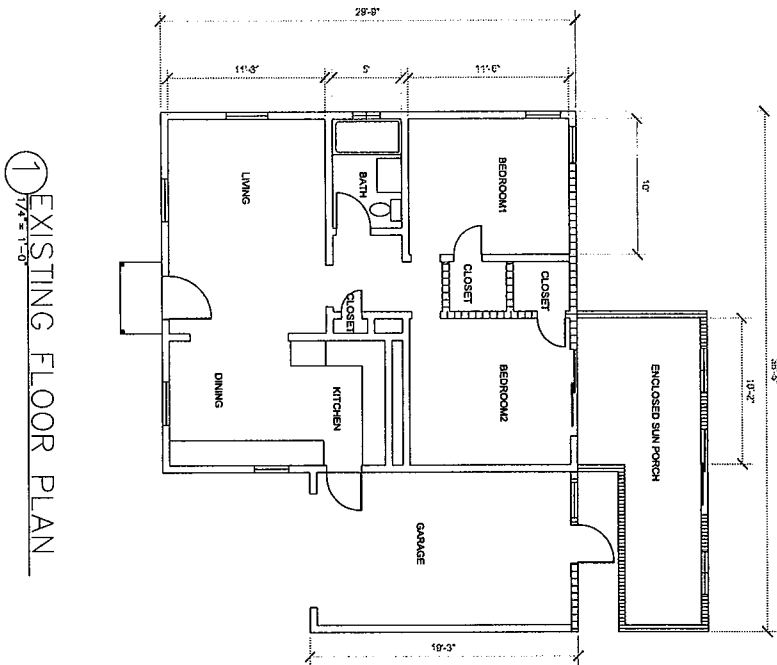
- EXISTING WALL
- MODIFIED WALL
- NEW WALL
- REMOVED WALL

# DOOR SCHEDULE

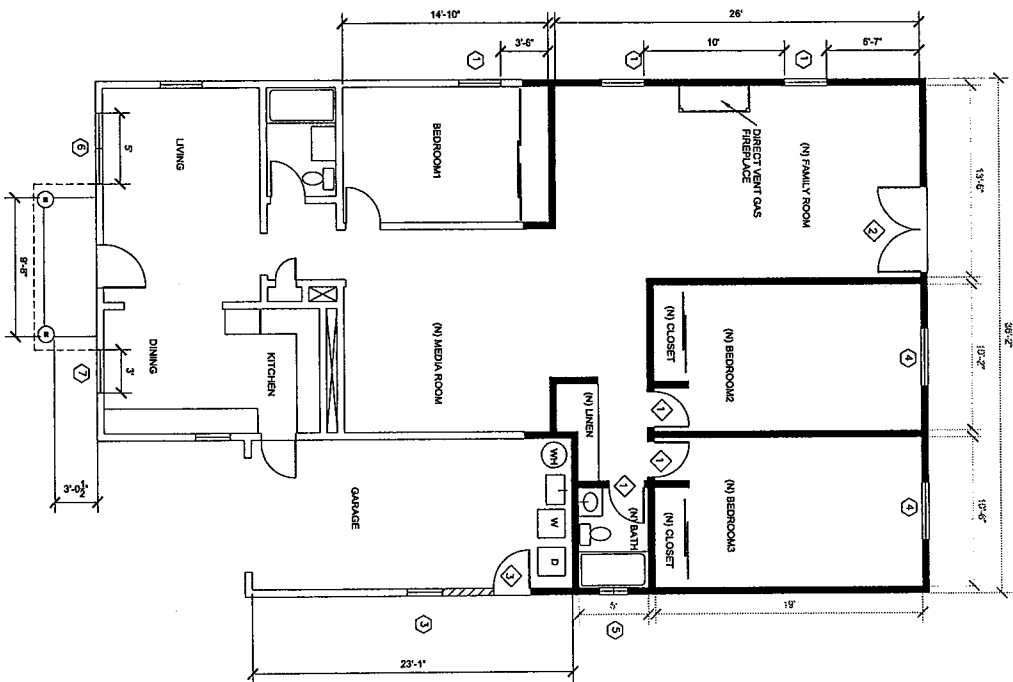
- 26'x36" WOLLOW CORE
- 6'x6'8" FRENCH DOOR DUAL PANE LOW E GLASS
- 28'x56" SOLID CORE

# WINDOW SCHEDULE

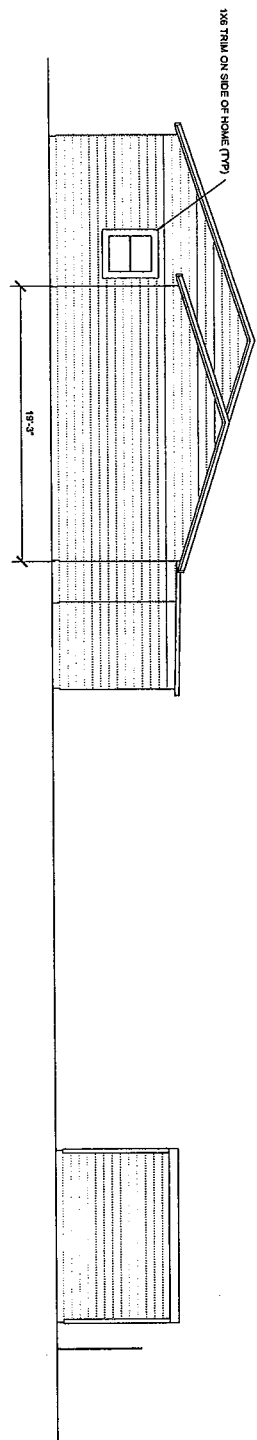
- 3'x4' DUAL PANE LOW E SINGLE HUNG
- 26'x4' DUAL PANE LOW E SINGLE HUNG
- 26'x12' DUAL PANE LOW E SINGLE HUNG
- 4'x4' DUAL PANE LOW E SINGLE HUNG
- 2'x12' DUAL PANE LOW E SLIDER
- 3'x3' DUAL PANE LOW E SINGLE HUNG
- 3'x3' DUAL PANE LOW E SINGLE HUNG



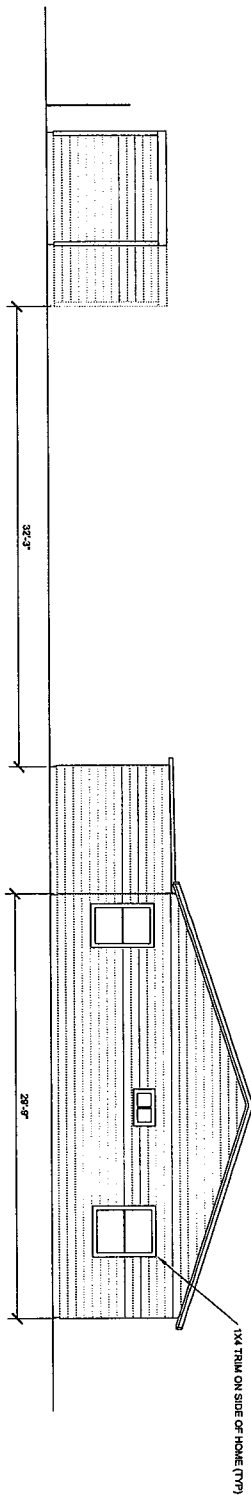
1 EXISTING FLOOR PLAN  
1/4" = 1'-0"



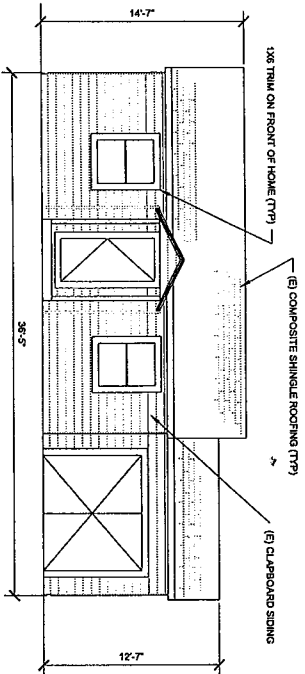
2 PROPOSED FLOOR PLAN  
1/4" = 1'-0"



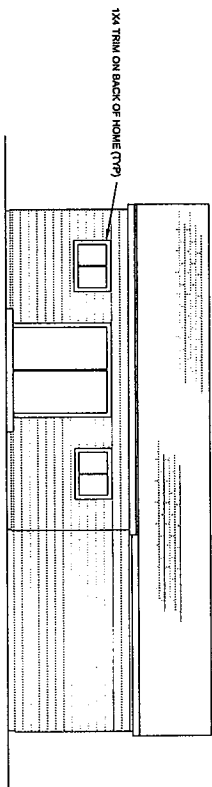
① WEST ELEVATION  
1/4" = 1'-0"



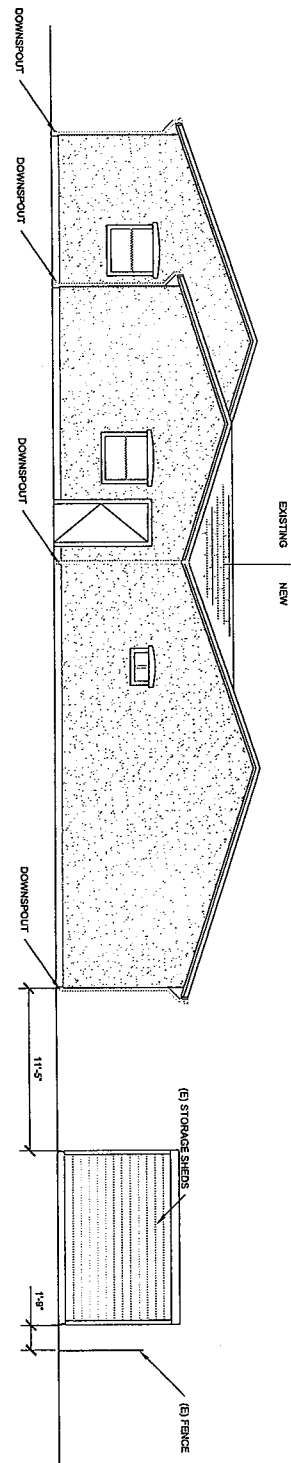
② EAST ELEVATION  
1/4" = 1'-0"



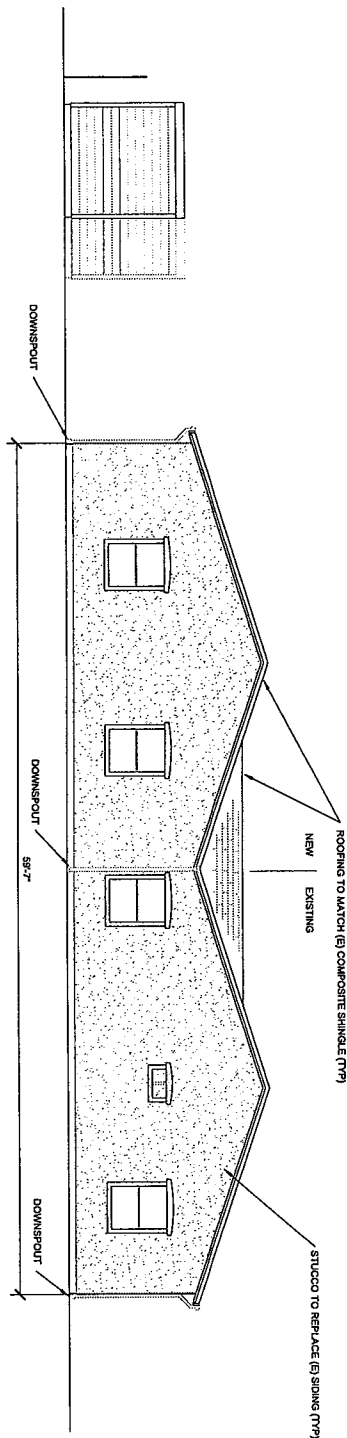
③ NORTH ELEVATION  
1/4" = 1'-0"



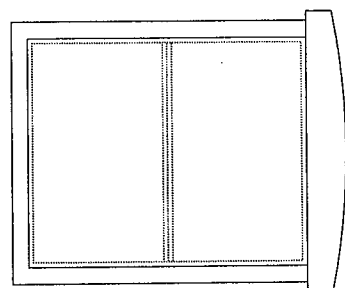
④ SOUTH ELEVATION  
1/4" = 1'-0"



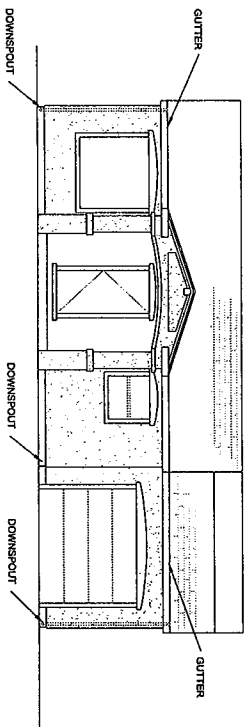
① NORTH ELEVATION  
1/4" = 1'-0"



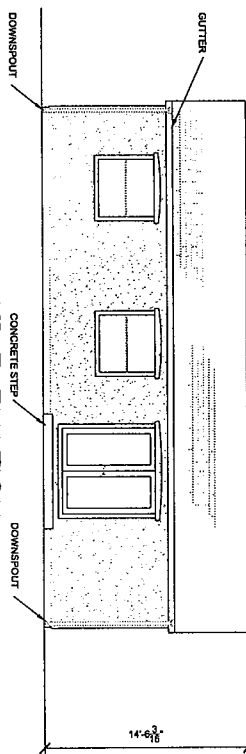
② SOUTH ELEVATION  
1/4" = 1'-0"



⑤ WINDOW TRIM  
1/4" = 1'-0"



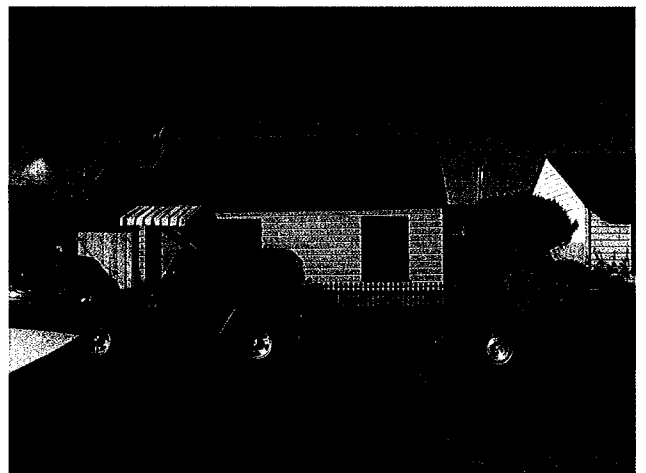
③ EAST ELEVATION  
1/4" = 1'-0"



④ WEST ELEVATION  
1/4" = 1'-0"



**Subject Site- 565 4<sup>th</sup> Avenue**



**Adjacent properties**

# SAN MATEO COUNTYWIDE SUSTAINABLE BUILDINGS CHECKLIST



## checklist

	No.	Item	Applicable Building Types		
<b>COMMUNITY PLANNING</b>	<b>Goal: Create a more sustainable community</b>				
	1	Build mixed-use developments and provide public amenities such as open space	c	m	
	2	Cluster development to minimize paving and utilities, and to preserve open space	c	m	
	3	Reuse a brownfield or previously occupied site	c	m	
	4	Design for easy pedestrian, bicycle, and transit access	c	t	m
<b>SITE &amp; LANDSCAPE</b>	<b>Goal: Respect your site</b>				
	5	Design and landscape to create comfortable micro-climates and reduce heat island effects	c	m	s
	6	Optimize building orientation for heat gain, shading, daylighting, and natural ventilation	c	m	s
	7	Reduce building footprint - smaller is better	c	m	s
	8	Limit site impacts, balance cut and fill, preserve existing vegetation and protect soil during construction	c	m	s
	9	Use native plants that are drought-resistant, create habitat for indigenous species, and do not require pesticides for maintenance	c	m	s
	10	Use recycled rubble for backfill drain rock	c	m	s
	<b>Goal: Save water and reduce local water impacts</b>				
	11	Maximize onsite stormwater management through landscaping and permeable pavement	c	m	s
	12	Use rainwater harvesting	c	m	s
<b>WASTE REDUCTION &amp; MANAGEMENT</b>	13	Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones	c	m	s
	<b>Goal: Reduce, reuse, recycle</b>				
	14	Reuse a building (renovate) instead of tearing down and rebuilding	c	t	m
	15	Deconstruct old buildings for materials reuse (salvage)	c	t	m
	16	Recycle construction & demolition waste	c	t	m
<b>CONCRETE</b>	17	Design for durability and eventual reuse	c	t	m
	18	Provide adequate space for storing and handling recyclables	c	t	m
	<b>Goal: Make concrete with sustainable materials</b>				
	19	Use flyash in concrete	c	t	m
	20	Use recycled aggregate in non-structural concrete	c	t	m
<b>WOOD FRAMING</b>	21	Use prefabricated forms or save and reuse wood form boards	c	t	m
	<b>Goal: Design to save wood and labor</b>				
	22	Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance	c	t	m
	23	Use engineered lumber or metal stud framing to replace solid-sawn lumber	c	t	m
	<b>Goal: Support sustainable forests</b>				
<b>EXTERIOR TREATMENTS, SIDING &amp; ROOFING</b>	24	Use sustainably harvested lumber (FSC certified) for wood framing	c	t	m
	25	Use reclaimed or salvaged lumber	c	t	m
	<b>Goal: Make a sustainable roof</b>				
	26	Use durable roofing materials	c	m	s
	27	Use a cool roof	c	m	
<b>WINDOWS &amp; DOORS</b>	28	Use a green or living roof	c	m	s
	<b>Goal: Support healthy environments and sustainable forests</b>				
	29	Use sustainable siding materials	c	m	s
	30	Use sustainable decking materials	c	m	s
	<b>Goal: Save energy through passive design</b>				
<b>PLUMBING</b>	31	Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees	c	m	s
	32	Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments	c	t	m
	33	Choose window sizes, frame materials, and glass coatings to optimize energy performance	c	m	s
	34	Stop air leakage at doors and windows	c	m	s
	<b>Goal: Save water and energy in plumbing systems</b>				
<b>PLUMBING</b>	35	Use water-conserving plumbing fixtures	c	t	m
	36	Use water-saving appliances and equipment	c	t	m
	37	Insulate hot and cold water pipes	c	t	m
	38	Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps	c	t	m
	39	Pre-plumb for future graywater use for toilet flushing and landscape irrigation	c	m	s
<b>Goal: Reduce environmental impacts from materials production</b>					
40	Use sustainable materials for pipes	c	m	s	

NAME: \_\_\_\_\_  
 SITE ADDRESS: \_\_\_\_\_  
 PERMIT NUMBER: \_\_\_\_\_

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the Recycleworks hotline at 1-888-442-2666.

**KEY:**  
 c Commercial/Industrial  
 t Tenant Improvement  
 m Multi-family housing  
 s Single-family home



# Checklist

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the RecycleWorks hotline at 1-888-442-2666.

	✓	No	Item	Applicable Building Types
<b>ELECTRICAL</b>	<b>Goal: Save energy in lighting</b>			
	✓	41	Design lighting levels for actual use, and use task lighting to reduce general lighting levels	c t m s
	✓	42	Use energy-efficient lamps and lighting fixtures	c t m s
		43	Use lighting controls that save energy such as occupancy sensors	c t m s
	<b>Goal: Save energy in equipment use</b>			
	44	Use ENERGY STAR® appliances	c t m s	
	45	Use a building energy management system	c t m	
<b>HEATING &amp; COOLING</b>	<b>Goal: Save energy through passive design</b>			
		46	Use passive solar design, thermal mass, and insulation to reduce space heating needs	c m s
		47	Replace air conditioning with natural ventilation and passive cooling	c m s
	✓	48	Use ceiling fans for comfort cooling, and use a whole-building fan for night-time cooling	c t m s
	✓	49	Upgrade wall, floor, and ceiling insulation to exceed minimum State requirements	c m s
	<b>Goal: Save energy in equipment use</b>			
	✓	50	Use high-efficiency equipment including furnaces, boilers, fans, and pumps	c m s
		51	Use heat recovery equipment	c m s
		52	Use geothermal systems, cogeneration, or other alternatives for heating and cooling	c m
	✓	53	Place ductwork within conditioned space, seal joints properly, and clean before occupancy	c t m s
		54	Zone mechanical systems for more efficient heating and cooling	c t
		55	Use radiant and hydronic systems for increased efficiency, health, and comfort	c t m s
	56	Use equipment without ozone-depleting refrigerants	t m	
<b>RENEWABLE POWER &amp; SOLAR ENERGY</b>	<b>Goal: Create healthy indoor environments</b>			
		57	Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products	c t m s
		58	Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality	c t m s
	✓	59	Use clean and efficient alternatives to wood-burning fireplaces	m s
	<b>Goal: Replace fossil fuel use with alternatives</b>			
	60	Generate clean electricity onsite using solar photovoltaics	c m s	
	61	Generate clean electricity onsite using wind turbines	c m s	
	62	Use solar hot-water systems for domestic use and swimming pools	c m s	
	63	Use solar hot-water systems for space heating	c m s	
	64	Pre-plumb for a solar hot-water system	c m s	
<b>INTERIOR MATERIALS</b>	<b>Goal: Create healthy indoor environments</b>			
	✓	65	Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives	c t m s
	✓	66	Use low- or no-VOC carpets, furniture, particleboard, and cabinetry	c t m s
		67	Use exposed concrete as a finished floor	c t m s
		68	Use natural materials such as wool and sisal for carpets and wallcoverings	c t m s
	✓	69	Use sustainable materials for flooring, trim, and interior surfaces	c t m s
	<b>Goal: Support the market for recycled materials</b>			
	70	Use recycled-content floor tile, carpets and pads, cabinets, and countertops	c t m s	
<b>OTHER GREEN ALTERNATIVES</b>	<b>Goal: Support sustainable forests</b>			
		71	Use reclaimed / salvaged, sustainably harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork	c t m s
	<b>Goal: Use creativity and innovation to build more sustainable environments</b>			
		72	Use insulated concrete forms	c m s
		73	Use structural insulated panels to replace wood-framed walls	c t m s
	74	Use natural building materials and techniques	c m s	
	75	Other sustainable methods or materials used. Please describe:	c t m s	

**KEY**

c Commercial/  
Industrial

t Tenant  
Improvement

m Multi-family  
housing

s Single-family  
home

Applicant Signature: \_\_\_\_\_



567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
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<http://www.ci.sanbruno.ca.us>

**STAFF**

Aaron Akin, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Lisa Costa Sanders, *Acting Planning Manager*  
Tony Rozzi, *Assistant Planner*  
Laura Russell, *Assistant Planner*  
Pamela Thompson, *City Attorney*

**PLANNING COMMISSION**

Rick Biasotti, *Chair*  
Bob Marshall, Jr., *Vice-Chair*  
Kevin Chase  
Mary Lou Johnson  
Perry Petersen  
Joe Sammut  
Sujendra Mishra

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. E4  
June 19, 2007**

**PROJECT LOCATION**

1. Address: 1750 Holly Avenue
2. Assessor's Parcel No: 020-024-190
3. Zoning District: R-1 (Single Family Residential District)
4. General Plan Classification: Low Density Residential

**EXHIBITS**

- A: Site Location  
B: Site Plan, Floor Plans, and Elevations  
C: Photos  
D: San Mateo Countywide Sustainable Buildings Checklist

**REQUEST**

Request for a Use Permit to allow the construction of an addition which increases the gross floor area by greater than 50% (105%), proposes to exceed the allowable lot coverage guideline of .44 (.45); and proposes a second story whose front plane is not set at least five feet further than the front setback of the first story (3'-0") per Sections 12.200.030.B.1, 12.200.030.B.3 and 12.200.040.B.2 of the San Bruno Zoning Ordinance. Robert Medan (Applicant), Charles Magee (Owner) **UP-07-015**

**RECOMMENDATION**

Staff recommends that the Planning Commission **approve** Use Permit 07-015 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-16).

**REVIEWING AGENCIES**

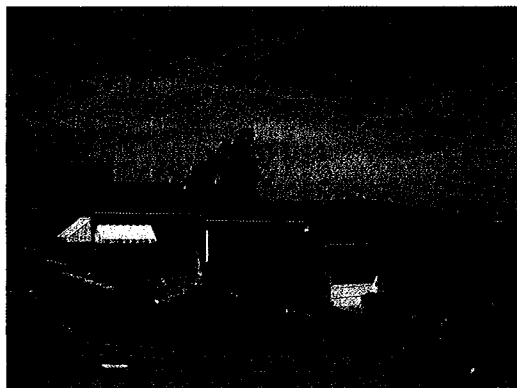
Community Development Department  
Public Works Department  
Fire Department

**LEGAL NOTICE**

1. Notices of public hearing mailed to owners of property within 300 feet on June 8, 2007.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, June 9, 2007.

## **ENVIRONMENTAL ASSESSMENT**

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15303(A): New Construction of a Single Family Residence/Conversion of a Structure.



## **EXISTING CONDITIONS**

The subject property is located mid-block on the north side of Holly Avenue, between Cedar and Cherry Avenue. This is a rectangular-shaped lot with a total size of 5,000 square feet. The lot is 50'-0" wide and 100'-0" deep. The property is currently developed with a contemporary style, three bedroom and one bathroom, 1,041 square foot single-story residence with an attached single car garage. The existing home has 5'-0" side yard setbacks on both the east and west sides of the home. This home was built in 1949 and is located in the Mills Park subdivision, which is made up of mid 20<sup>th</sup> century single-family

residences. Adjacent to the subject property are other single-family structures.

## **SURROUNDING LAND USES**

North: Juniper Avenue - R-1 Zone, single-family residential

South: Kains Avenue - R-1 Zone, single-family residential

East: Cherry Avenue – R-1 Zone, single-family residential

West: Cedar Avenue - R-1 Zone, single-family residential

## **PROJECT INFORMATION**

The proposed project is for a rear first level expansion and new second story over the garage area. Specifically, the project would add 686 s.f. to the first floor to add a new master suite, two new bedrooms and convert an existing bedroom into a new bathroom and laundry area. The dining room would be relocated adjacent to the existing living room in order to create space for a side by side garage expansion. The existing kitchen would extend to the rear of the floor plan, replacing the existing single bathroom in the home. The new second floor above the garage and set towards the front of the home would add 417 s.f. to create a new family room. The second level proposes a 3'-0" setback from the first story plane below and not the required 5'-0" front setback as required in the zoning ordinance. As part of the second story addition, a new cross gable would be used as well.

An existing single car garage would be expanded to become a side by side two-car garage.

If approved and constructed, this would become a 3 bedroom and 2 bathroom home. Project details are shown in the following table:

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		R-1	R-1	Same
Lot Area		5,000 s.f.	5,000 s.f.	Same
Lot Coverage		2,200 s.f. (44%)	1,291 s.f. (26%)	<b>2,230 s.f. (45%)</b>
Gross Floor Area		2,750 s.f.	1,291 s.f.	2,647 s.f.
Floor Area Ratio		.55	.26	.53
Building Setbacks	Front	15'-0"	24'-0" to home 21'-0" to covered porch 20'-6" to garage	Same
	Rear	10'-0"	38'-0"	10'-0"
	R Side L Side	5'-0"	5'-0"	Same
Building Height		28'-0"	16'-6"	21'-6" for front facing addition 16'-6" for rear addition
Covered Parking		2 spaces	1 space	2 spaces

(\*) Notes:

- Expansion of greater than 50% - 105% increase
- Proposed lot coverage exceeds .44 - .45 (exceeds specific numerical guideline of 2,200 by 30 s.f.)
- Proposed total living area 2,144 s.f. < 2,800 s.f. three car guideline
- New second level not set back 5'-0" from front plane (3'-0")

**Square Footage Breakdown:**

	Ground floor	Second Floor	Garage	Total
Existing	1,041	-	250	1,291
Proposed	686	417	253	1,356
Total	1,727	417	503	2,647

Proposed 2,647 s.f. home; 2,144 s.f. Living area and a 503 s.f. two-car garage

**ARCHITECTURAL REVIEW COMMITTEE**

The Architectural Review Committee (ARC) reviewed the project at its May 10, 2007 meeting and forwarded the project to the Planning Commission with a favorable recommendation and the following comments:

- Front and rear Landscaping plan to be submitted prior to Planning Commission Hearing

- Staff to work with applicant regarding any changes to the window design of this project.
- Verify impervious surface calculation. No more than 80% lot coverage with impervious surface.
- Remove line on site plan showing minimum setbacks
- Provide existing site plan separately
- Given proposed home and lot coverage, new concrete walkway to be designed with pervious paving system

*Commissioners Chase, Biasotti and Sammut were present for this item.*

Since the Architectural Review Committee hearing, the applicant has clarified the landscaping for the property, added pavers for walkways to increase permeable surface area and proposed a revised location for the second story windows. Specifically, the applicant and owners have decided to move the front facing window on the proposed second story eastward in order to take advantage of the view to the east. Likewise, the east facing window on the proposed second story has been moved southward to extend the view from the new family room to look out across the San Francisco Bay (See sheet A2 of Exhibit B). While this design is not as symmetrical as the previous submittal, staff finds that it adequately breaks up the mass of the new second story addition.

## **PUBLIC COMMENTS**

None received to date.

## **ANALYSIS AND RECOMMENDATION**

The applicant is proposing an addition of 1,356 s.f. to the home. The project would increase the existing gross floor area by 105% with the addition on the first and second levels, exceed the .44 lot coverage guideline (.45) and add a second story whose front plane is not set at least five feet further than the front setback of the first story. Any project which proposes a greater than 50% expansion in gross floor area, exceeds the .44 lot coverage guideline or does not meet second story setback requirements requires a conditional use permit.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

1. **The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

With the condition that the applicant obtain a building permit prior to construction, the addition will be constructed according to the Uniform Building Code (UBC) and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood. The first and second floor addition would be set back 5'-0" from both the east and west side yard property lines and 10'-0" to the rear property line, complying with the setback requirements to provide for fire safety construction and egress requirements.

**2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

The applicant is proposing an addition to the first floor and a new second story over the garage area to a single story home in the Mills Park subdivision. The expansion would use building materials comparable to those structures found in the immediate area, namely a combination of stucco finish and stone veneer for the lower level addition, stucco finish for the new second story, wood trim board and sills for all new windows and a hickory colored composition shingle roofing. The home's overall height would increase to 21'-6" for the new second story area but continue the existing 16'-6" single story height for the rear addition. Both portions of the proposal would meet building heights as designated by the zoning ordinance requirement of less than 28'-0". The roof for the second story proposes a 4:12 slope and the lower level roofline for the new addition would also use a matching 4:12 roof slope.

The proposal complements the current neighborhood design in scale, with its architectural features and by its general conformance to a majority of regulations as set forth in the Zoning Ordinance. Specifically, by massing the second story addition at the front of the home, the impact to the surrounding properties should be minimized since privacy towards the rear will not be impacted with the first story rear addition. Although the second story is set back 3'-0" behind the existing first story plane, rather than the recommended 5'-0", this reduction does not negatively affect the project. The 3'-0" setback meets the intent of the design guideline, namely that there is not a large massive appearance to the front facing addition. Therefore, staff determines that the addition will not be detrimental to improvements in the neighborhood or to the general welfare of the City.

**3. The proposed development will be consistent with the general plan.**

The San Bruno General Plan designates the property as a low-density residential district. The proposed single family dwelling is thus consistent with the residential general plan designation.

Goal 3 of the City's 1984 General Plan states "encourage public and private development which is aesthetically sensitive to the surrounding environment and is of the highest quality design and construction." Staff finds that the architecture of the addition will balance the style of the existing homes in the nearby area and the project will use similar finish materials.

General Plan Residential Policy 1 states "protect the residential character of existing residential neighborhoods." The proposed two-story craftsman style home, with new windows, stucco and stone veneer finish, trim board, matching roof lines and hickory colored composition shingle roofing, will be complementary to other single family homes in the area.

**4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.**

With the proposed alterations to this home, and considering the 5'-0" side yard setback from the east and west property lines for the addition, the structure should not unreasonably restrict or interfere with light

and air on the adjacent properties. Concerning height, the home would be below the 28'-0" maximum, proposing a 21'-6" height for the second story and continuing a 16'-6" height for the single story addition. Surrounding the subject property are other mid 20<sup>th</sup> century homes that are similar in height. Staff finds that the second story addition should not restrict or interfere with the light and air of adjacent properties given the roof design proposes a gabled 4:12 slope and has no significant overhangs that would cause any undue or excessive shadowing of nearby properties. Additionally, the adjacent properties have standard side yard setbacks. A hipped 4:12 sloped roof is proposed for the first story addition, which will not have any shadowing impact on adjacent properties.

As a proposed addition, the structure is similar to the massing (height, location of addition) of other homes in the area and complements of the design of the home and the surrounding area.

**5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.**

Architecturally, the applicant has proposed a new second story that will utilize stucco finish materials similar to the existing home, will add a cross gable roof with significant windows to capture the eastward view, adds trim and articulation and sets the addition back from the first story vertical plane by 3'-0". This achieves the effect of diminishing the appearance of a massive front facing structure as viewed from the public right-of-way. The new roofing material will be a composition shingle and hickory in color.

On the first level, the project is designed to expand to the allowable rear setback of 10'-0" which while not preferable from a planning perspective, does use a hipped roof and should not affect the adjacent properties. The most impressive aspect of the rear single story addition is the east elevation's new windows, trim, articulation and proposed redwood deck. All of these features are consistent with the general character of craftsman style architecture.

The expanded residence will be an improvement not only to the subject property, but also to the established neighborhood, which is comprised of contemporary, ranch and craftsman style single family homes. The on-street parking in the area should not be negatively impacted, which would otherwise diminish the desirability of the adjacent properties and overall neighborhood since an existing single car garage will be expanded to a side by side two-car garage with a new 20'-0" wide and deep driveway.

**6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.**

The project proposes that a single car garage be expanded to a new two-car garage to meet the parking requirements for an expanded home. The garage will remain attached. With a condition requiring the garage always be available to park two cars and the fact that a 20'-0" deep and wide driveway will be installed which can accommodate two additional vehicles, all off-street parking standards will be met with this proposal.

## **RECOMMENDATION**

Based on the above analysis and Findings of Fact 1-6 below, Staff recommends approval of Use Permit 07-015 subject to conditions 1-16 below.

## **FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been well designed with appropriate finished materials.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

## **CONDITIONS OF APPROVAL**

### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-015 shall not be valid for any purpose. Use Permit 07-015 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.

3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on June 19, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

**Department of Public Works – (650) 616-7065**

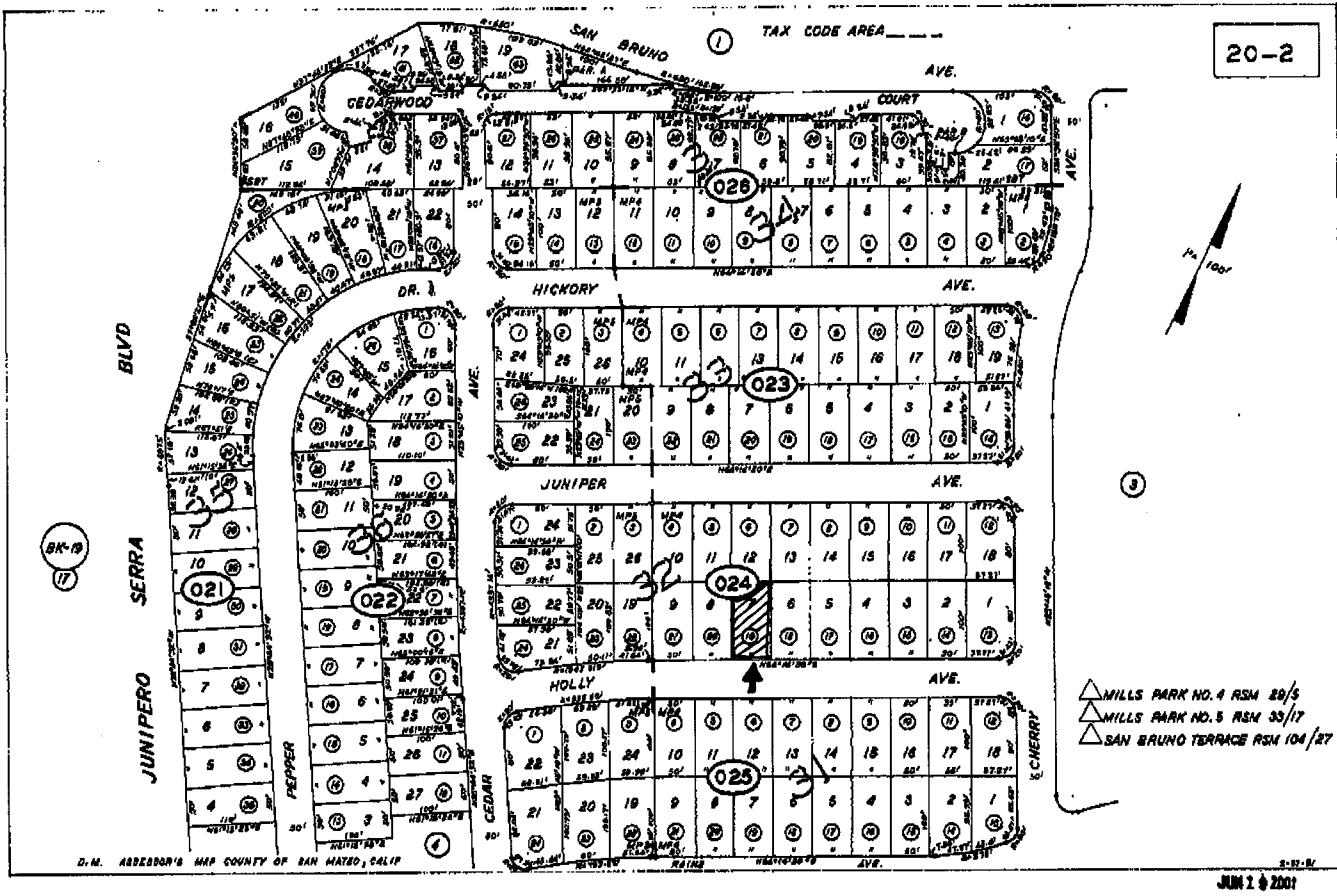
9. Encroachment Permit from Engineering Department required prior to work in the public right-of-way. S.B.M.C. 8.16.010
10. Remove and replace all sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than 3/4-inch. S.B.M.C. 8.12.010.
11. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule. S.B.M.C. 8.24.060
12. It will be necessary to remove existing concrete driveway curb cut and to replace with a new driveway curb cut in conformance with City standard plans and details.

**Fire Department – (650) 616-7096**

13. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.

14. Provide hardwired smoke detectors with battery backup to all new bedrooms and hallways.
15. Provide spark arrestor if chimney is present.
16. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

Submitted on 06/14/07 by:  
Tony Rozzi  
Assistant Planner



1750 Holly Avenue  
 020-024-190  
 UP 07-015

Exhibit A – Site Location

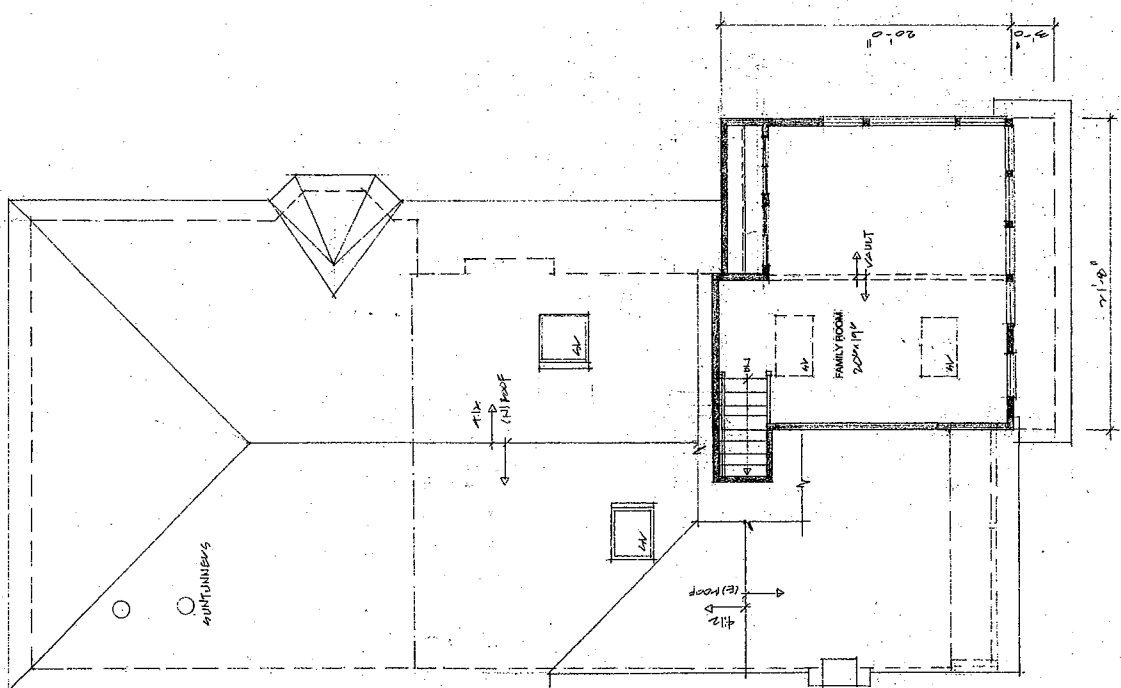
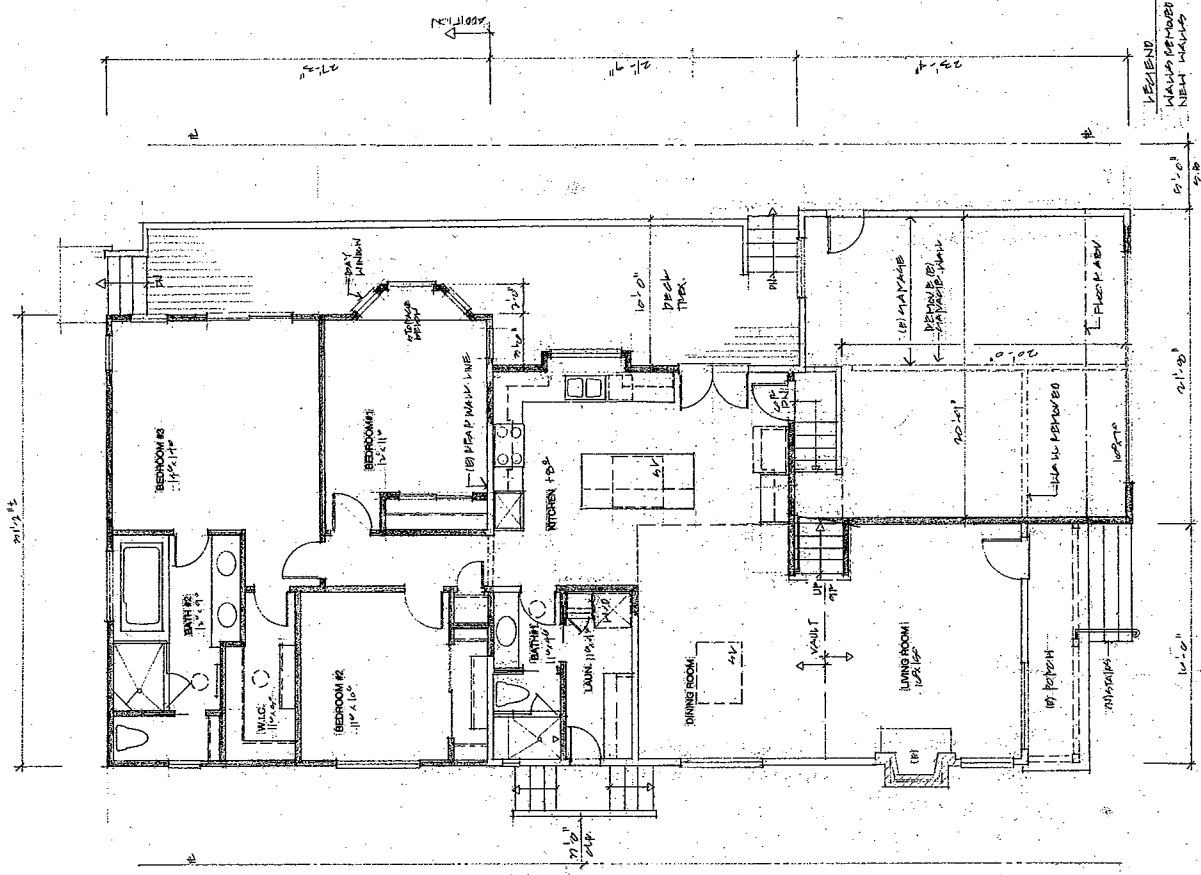


REVISIONS	BY

**Robert Allen**  
 ARCHITECT  
 1750 HOLLY STREET  
 SAN BRUNO, CA 94066  
 TEL: 650.331.1111  
 FAX: 650.331.1111  
 robert@robertallen.com

**MAGEE RESIDENCE**  
 REMODEL AND ADDITION  
 1750 HOLLY STREET  
 SAN BRUNO, CA

Date: 11/20/07  
 Drawn: MPE/20  
 Check: PPH  
 Job: A2  
 Sheet: 01



FIRST FLOOR PLAN

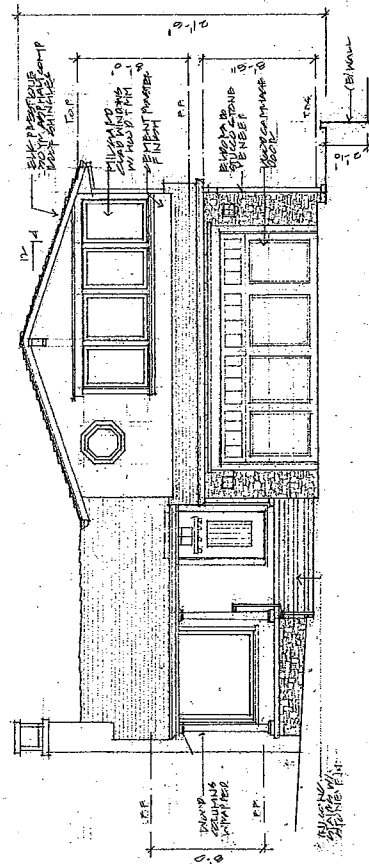
SECOND FLOOR PLAN

REVISIONS	BY

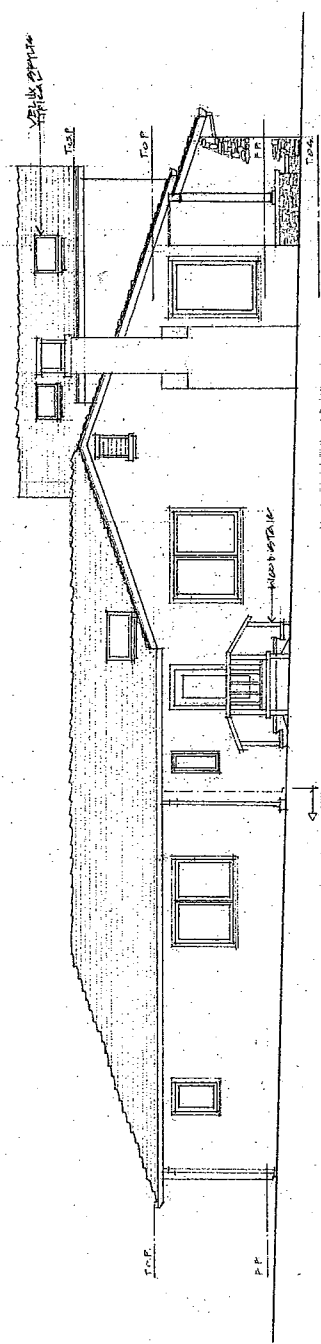
**Robert H. Hark**  
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 1750 HOLLY STREET  
 SAN BRUNO, CA 94066  
 T 650.377.8377  
 F 650.377.8319  
 www.harkdesign.com

**MAGEE RESIDENCE**  
 REMODEL AND ADDITION  
 1750 HOLLY STREET  
 SAN BRUNO, CA

Sheet: **A3**  
 Date: 11/06/07  
 Scale: 1/4" = 1'-0"  
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 Check: JPH  
 Title: **Left Elevation**



FRONT ELEVATION



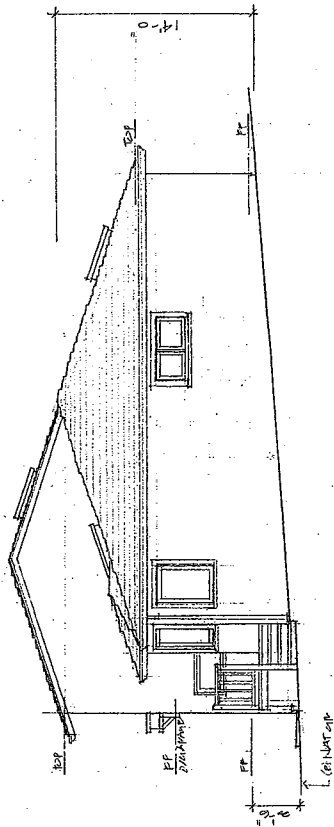
LEFT ELEVATION

REVISIONS	BY

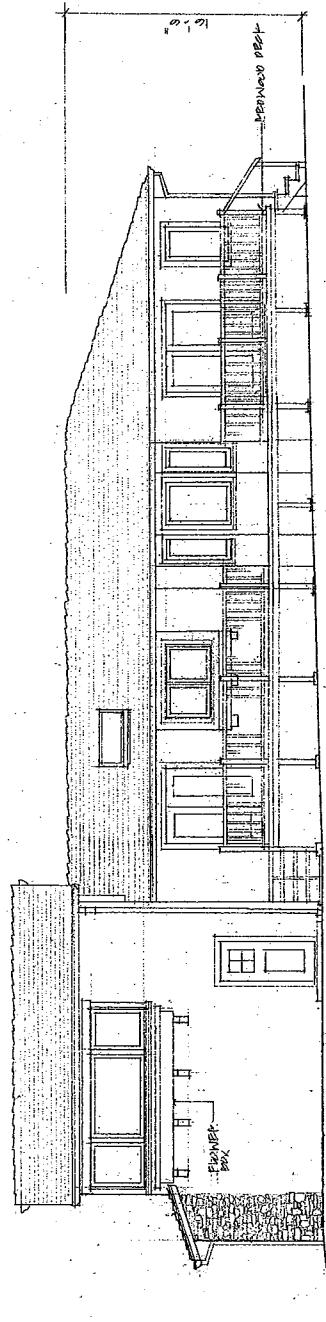
**Robert Moore**  
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 F 650.377.4113  
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**MAGEE RESIDENCE**  
 REMODEL AND ADDITION  
 1750 HOLLY STREET  
 SAN BRUNO, CA

Date: 11-06-11  
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 Sheet: A4  
 Of: 04



REAR ELEVATION



RIGHT ELEVATION

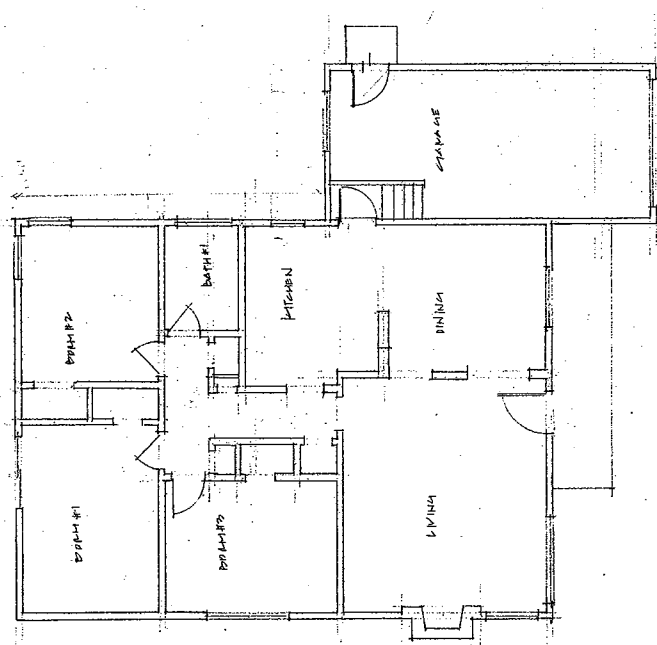
REVISIONS	BY

**Robert R. Smith**  
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**MAGEE RESIDENCE**  
 REMODEL AND ADDITION  
 1750 HOLLY STREET  
 SAN BRUNO, CA

Date	11/20/12
Drawn	MM
Job	
Sheet	A5
Of	Three

**AS-BUILT/DEMOLITION PLAN**



# ROBERT MEDAN

## ARCHITECT

1936 LOS ALTOS DRIVE  
SAN MATEO, CA 94102

T 650.577.8477

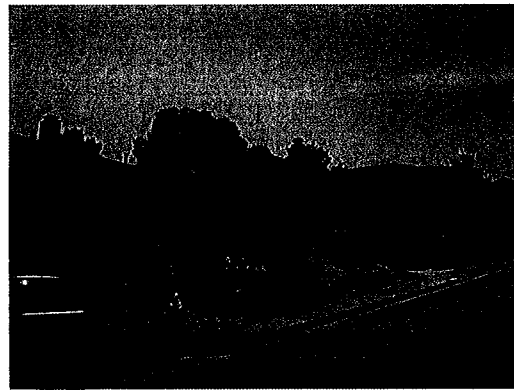
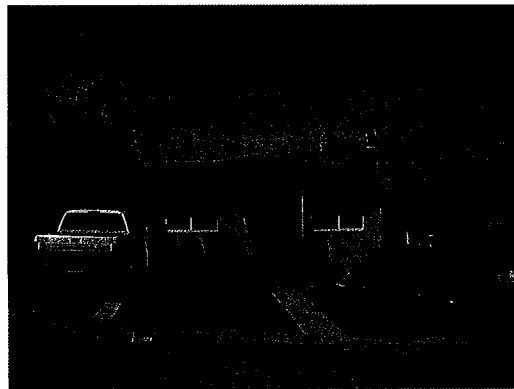
F 650.577.8313

robertmedan@earthlink.net

ROBERT MEDAN, AIA

### DOOR & WINDOW SCHEDULE MAGEE RESIDENCE- 1750 HOLLY ST.

ORIENT.	ROOM	SIZE		TYPE
N	BEDROOM #3	2/6X4/0		CASEMENT
E	"	2/6/X4/0		CASEMENT
E	"	6/0X6/8		FRENCH SLIDER
N	BATH #2	4/6X2/0		AWNING
W	"	2/0X3/0		CASEMENT
E	BEDROOM #1	2/0X4/6	BAY	CASEMENT
		3/0/X4/6	BAY	CASEMENT
		2/0X4/6	BAY	CASEMENT
S	"	2/0X4/6		CASEMENT
W	BEDROOM #2	6/0X4/0		CASEMENT
E	KITCHEN	5/0/X3/0		CASEMENT
E	"	5/0/X6/8		FRENCH DOORS
N	GARAGE	4/0X2/0		FIXED
E	"	2/8X6/8		HALF-LITE
S	LIVING	3/0X6/8		ENTRY DOOR
S	"	5/0/X6/8		PICTURE
W	"	3/6/X6/0		CASEMENT
W	DINING	6/0/X4/6		CASEMENT
W	LAUNDRY	2/6X6/8		FRENCH DOOR
W	BATH #1	1/0X3/0		CASEMENT
E	FAMILY ROOM	12/0X4/0		CASEMENT
S	"	10/0X4/6		CASEMENT



**Exhibit C – Photos**

# SAN MATEO COUNTYWIDE SUSTAINABLE BUILDINGS CHECKLIST

	✓ No.	Item	Applicable Building Types	
COMMUNITY PLANNING	<b>Goal: Create a more sustainable community</b>			
	1	Build mixed-use developments and provide public amenities such as open space	c	m
	2	Cluster development to minimize paving and utilities, and to preserve open space	c	m
	3	Reuse a brownfield or previously occupied site	c	m
	4	Design for easy pedestrian, bicycle, and transit access	c	t m
SITE & LANDSCAPE	<b>Goal: Respect your site</b>			
	5	Design and landscape to create comfortable micro-climates and reduce heat island effects	c	m s
	6	Optimize building orientation for heat gain, shading, daylighting, and natural ventilation	c	m s
	7	Reduce building footprint - smaller is better	c	m s
	✓ 8	Limit site impacts, balance cut and fill, preserve existing vegetation and protect soil during construction	c	m s
	9	Use native plants that are drought-resistant, create habitat for indigenous species, and do not require pesticides for maintenance	c	m s
	✓ 10	Use recycled rubble for backfill drain rock	c	m s
	<b>Goal: Save water and reduce local water impacts</b>			
	✓ 11	Maximize onsite stormwater management through landscaping and permeable pavement	c	m s
	12	Use rainwater harvesting	c	m s
✓ 13	Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones	c	m s	
WASTE REDUCTION & MANAGEMENT	<b>Goal: Reduce, reuse, recycle</b>			
	✓ 14	Reuse a building (renovate) instead of tearing down and rebuilding	c	t m s
	✓ 15	Deconstruct old buildings for materials reuse (salvage)	c	t m s
	✓ 16	Recycle construction & demolition waste	c	t m s
	✓ 17	Design for durability and eventual reuse	c	t m s
	✓ 18	Provide adequate space for storing and handling recyclables	c	t m s
CONCRETE	<b>Goal: Make concrete with sustainable materials</b>			
	19	Use flyash in concrete	c	t m s
	✓ 20	Use recycled aggregate in non-structural concrete	c	t m s
WOOD FRAMING	✓ 21	Use prefabricated forms or save and reuse wood form boards	c	t m s
	<b>Goal: Design to save wood and labor</b>			
	✓ 22	Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance	c	t m s
WOOD FRAMING	✓ 23	Use engineered lumber or metal stud framing to replace solid-sawn lumber	c	t m s
	<b>Goal: Support sustainable forests</b>			
	✓ 24	Use sustainably harvested lumber (FSC certified) for wood framing	c	t m s
EXTERIOR TREATMENTS, SIDING & ROOFING	25	Use reclaimed or salvaged lumber	c	t m s
	<b>Goal: Make a sustainable roof</b>			
	✓ 26	Use durable roofing materials	c	m s
EXTERIOR TREATMENTS, SIDING & ROOFING	27	Use a cool roof	c	m
	28	Use a green or living roof	c	m s
	<b>Goal: Support healthy environments and sustainable forests</b>			
EXTERIOR TREATMENTS, SIDING & ROOFING	✓ 29	Use sustainable siding materials	c	m s
	✓ 30	Use sustainable decking materials	c	m s
	<b>Goal: Save energy through passive design</b>			
WINDOWS & DOORS	✓ 31	Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees	c	m s
	✓ 32	Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments	c	t m s
	✓ 33	Choose window sizes, frame materials, and glass coatings to optimize energy performance	c	m s
	✓ 34	Stop air leakage at doors and windows	c	m s
PLUMBING	<b>Goal: Save water and energy in plumbing systems</b>			
	✓ 35	Use water-conserving plumbing fixtures	c	t m s
	✓ 36	Use water-saving appliances and equipment	c	t m s
	✓ 37	Insulate hot and cold water pipes	c	t m s
	✓ 38	Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps	c	t m s
PLUMBING	39	Pre-plumb for future graywater use for toilet flushing and landscape irrigation	c	m s
	<b>Goal: Reduce environmental impacts from materials production</b>			
✓ 40	Use sustainable materials for pipes	c	t m s	



**checklist**

NAME: CHARLES MATE  
 SITE ADDRESS: 1750 HOLLY  
SAN BRUNO CA  
 PERMIT NUMBER: UP 07015

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the ReycleWorks hotline at 1-888-442-2666.

c Commercial/Industrial  
 t Tenant Improvement  
 m Multi-family housing  
 s Single-family home

# SAN MATEO COUNTYWIDE SUSTAINABLE BUILDINGS CHECKLIST



## checklist

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the RecycleWorks hotline at 1-888-442-2666.

	No.	Item	Applicable Building Types	
ELECTRICAL	<b>Goal: Save energy in lighting</b>			
	✓ 41	Design lighting levels for actual use, and use task lighting to reduce general lighting levels	c t m s	
	✓ 42	Use energy-efficient lamps and lighting fixtures	c t m s	
	✓ 43	Use lighting controls that save energy such as occupancy sensors	c t m s	
	<b>Goal: Save energy in equipment use</b>			
	✓ 44	Use ENERGY STAR® appliances	c t m s	
	45	Use a building energy management system	c t m	
HEATING & COOLING	<b>Goal: Save energy through passive design</b>			
	✓ 46	Use passive solar design, thermal mass, and insulation to reduce space heating needs	c m s	
	✓ 47	Replace air conditioning with natural ventilation and passive cooling	c m s	
	✓ 48	Use ceiling fans for comfort cooling, and use a whole-building fan for night-time cooling	c t m s	
	✓ 49	Upgrade wall, floor, and ceiling insulation to exceed minimum State requirements	c m s	
	<b>Goal: Save energy in equipment use</b>			
	✓ 50	Use high-efficiency equipment including furnaces, boilers, fans, and pumps	c m s	
		51	Use heat recovery equipment	c m s
		52	Use geothermal systems, cogeneration, or other alternatives for heating and cooling	c m
	✓ 53	Place ductwork within conditioned space, seal joints properly, and clean before occupancy	c t m s	
		54	Zone mechanical systems for more efficient heating and cooling	c t
		55	Use radiant and hydronic systems for increased efficiency, health, and comfort	c t m s
		56	Use equipment without ozone-depleting refrigerants	t m
	<b>Goal: Create healthy indoor environments</b>			
	✓ 57	Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products	c t m s	
✓ 58	Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality	c t m s		
	59	Use clean and efficient alternatives to wood-burning fireplaces	m s	
RENEWABLE POWER & SOLAR ENERGY	<b>Goal: Replace fossil fuel use with alternatives</b>			
		60	Generate clean electricity onsite using solar photovoltaics	c m s
		61	Generate clean electricity onsite using wind turbines	c m s
		62	Use solar hot-water systems for domestic use and swimming pools	c m s
		63	Use solar hot-water systems for space heating	c m s
	64	Pre-plumb for a solar hot-water system	c m s	
INTERIOR MATERIALS	<b>Goal: Create healthy indoor environments</b>			
	✓ 65	Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives	c t m s	
	✓ 66	Use low- or no-VOC carpets, furniture, particleboard, and cabinetry	c t m s	
		67	Use exposed concrete as a finished floor	c t m s
	✓ 68	Use natural materials such as wool and sisal for carpets and wallcoverings	c t m s	
	✓ 69	Use sustainable materials for flooring, trim, and interior surfaces	c t m s	
	<b>Goal: Support the market for recycled materials</b>			
✓ 70	Use recycled-content floor tile, carpets and pads, cabinets, and countertops	c t m s		
OTHER GREEN ALTERNATIVES	<b>Goal: Support sustainable forests</b>			
	✓ 71	Use reclaimed / salvaged, sustainably harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork	c t m s	
	<b>Goal: Use creativity and innovation to build more sustainable environments</b>			
		72	Use insulated concrete forms	c m s
		73	Use structural insulated panels to replace wood-framed walls	c t m s
		74	Use natural building materials and techniques	c m s
	75	Other sustainable methods or materials used. Please describe:	c t m s	

c Commercial/  
Industrial  
t Tenant  
Improvement  
m Multi-family  
housing  
s Single-family  
home

Applicant Signature: Art Mac

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
Fax: (650) 873-6749  
<http://www.ci.sanbruno.ca.us>

**STAFF**

Aaron Akin, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Lisa Costa Sanders, *Acting Planning Manager*  
Tony Rozzi, *Assistant Planner*  
Laura Russell, *Assistant Planner*  
Pamela Thompson, *City Attorney*

**PLANNING COMMISSION**

Rick Biasotti, *Chair*  
Bob Marshall, Jr., *Vice-Chair*  
Kevin Chase  
Mary Lou Johnson  
Perry Petersen  
Joe Sammut  
Sujendra Mishra

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. E5  
June 19, 2007**

**PROJECT LOCATION**

1. Address: No Site Address (Adjacent to 130 Arbor Court)
2. Assessor's Parcel No: 017-125-310
3. Zoning District: R-1 (Single Family Residential District)
4. General Plan Classification: Low Density Residential

**EXHIBITS**

- A: Site Location
- B: Site Plan, Elevations and Rendering
- C: Project Information Statement
- D: Radio Frequency ("RF") Consulting Engineers Statement
- E: Photos
- F: Chapter 12.200 Wireless Telecommunications Facilities (S.B.M.C.)
- G: Public Comments

**REQUEST**

Request for a Conditional Use Permit to construct a wireless telecommunications facility within a residential zoning district and permit the structure to exceed the height limits for the district in which it is located up to fifty feet per Sections 12.220 and 12.84.160 of the San Bruno Zoning Ordinance. T-Mobile (Applicant), City of San Bruno (Owner) **UP-07-011**

**RECOMMENDATION**

Staff recommends that the Planning Commission **approve** Use Permit 07-011 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-13).

**REVIEWING AGENCIES**

Community Development Department  
Public Works Department  
Fire Department  
CableTV Department  
City Attorney

### **LEGAL NOTICE**

1. Notices of public hearing mailed to owners of property within 300 feet on June 9, 2007.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, June 9, 2007.

### **ENVIRONMENTAL ASSESSMENT**

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15303(E): New Construction or Conversion of a Structure.

### **EXISTING CONDITIONS**

The subject property is located in the southern half of Arbor Court, just off of Greenwood Way. This is an irregular shaped lot with an approximate total size of 11,000 square feet. The lot has a street frontage of 30'-0" and then widens to a rear property line that measures 128'-0". The property has an approximate length of 92'-0" on the east side yard and 102'-0" on the west side yard.

The property is currently developed with existing telecommunications and San Bruno CableTV facilities and gated with a 10'-0" tall slatted fence on all sides. This property functions primarily as a main office for CableTV servers and also as a Sprint Nextel antenna site and is located in the Rollingwood subdivision, which is made up of mid 20<sup>th</sup> century single-family residences. Adjacent to the subject property are single-family structures.

### **SURROUNDING LAND USES**

North: Rollingwood Drive - R-1 Zone, single-family residential  
South: Birch Court - R-1 Zone, single-family residential  
East: Greenwood Way - R-1 Zone, single-family residential  
West: Fleetwood Drive - R-1 Zone, single-family residential

### **PROJECT INFORMATION**

This project proposes to install six (6) panel antennas to be mounted on to a new 50'-0" freestanding stealth faux pine tree located on City of San Bruno property in Arbor Court. The proposal would add four (4) equipment cabinets within a 12'-0" by 20'-0" area that would be fenced by a 6'-0" tall green slatted system to match existing fencing in the area and located at the front of the property. Maximum height of the proposed panel antennas would be 42'-0", with 20'-0" of simulated bark on the monopole from grade.

### **ARCHITECTURAL REVIEW COMMITTEE**

The Architectural Review Committee (ARC) reviewed the project at its May 10, 2007 meeting and forwarded the project to the Planning Commission with a favorable recommendation and the following comments:

- Stealthing material must be maintained in installation quality appearance for life of the tree and lease agreement.
- Site coverage map detailing ranges of existing and planned facilities, service area covered, gap coverage and how the facilities will cover the gap.
- Model type, specifications and photos of stealthing material selected is required prior to Building permit issuance
- Construction schedule and traffic plan required prior to Building permit issuance
- Applicable hours of maintenance to be defined as a condition of approval

*Commissioners Chase, Biasotti and Sammut were present for this item.*

## **PUBLIC COMMENTS**

Staff received two (2) public comments to date regarding the submitted project, per a courtesy notice mailed to the immediate neighbors of the subject property.

1. Caroline Johansson, 2846 Fleetwood Drive
2. Patrick Wong, 160 Arbor Court

The communications were concerned with the impact of the proposed facility and are included in the staff report as Exhibit G.

## **ANALYSIS AND RECOMMENDATION**

The applicant is proposing a new telecommunications wireless facility in a residential zone. Because the zoning ordinance provides the Community Development Director with discretionary review of wireless facilities in a commercial or industrial zone only, this application requires a conditional use permit.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The location, size and intensity of the proposed operation will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood.**

The proposal is located entirely within private property and leased to the applicant. As stated in the Project Information Statement (Exhibit C), after construction of the facility, the site would be unmanned and serviced once a month, during a routine scheduled maintenance window by a service technician. Staff recommended applicable hours of maintenance as a condition of approval and thereby finds that any work done on site should not adversely affect the surrounding area, which is comprised of residential properties. Staff has also included a condition of approval requiring a construction schedule and traffic plan for staff review prior to building permit issuance. The utility station at Arbor Court functions as a main station for all San Bruno CableTV technical issues and is staffed by one individual most days of the week. This individual, as well as any technicians working in conjunction with the proposed T-Mobile facility, would park on site and not interfere with Arbor Court's on-street parking.

- 2. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood or impair the value thereof; and is consistent with the design and scale of the neighborhood.**

The proposed facility would not exceed the maximum height requirement of 50'-0", from grade to top of monopole. Regarding the proposed monopole, a faux pine stealthing would be utilized to minimize the appearance of a new 50'-0" tall structure in a residential zoning district. Final design choice for

the stealthing is to be submitted to staff for review prior to Building permit issuance and is listed as a condition of approval in the staff report. The existing property is used for public and private telecommunications facilities and is currently developed in a similar way. There is an existing 78'-6" tall lattice tower with panel antennas and several satellite dishes.

Although the area immediately surrounding the subject property consists of residential homes, the current proposal is consistent with the existing use of the site. Regarding the appearance of the site, this proposal would improve on previous development since a stealthing design would be utilized and the new structure would not exceed the maximum allowable height for any structure in a district up to fifty feet, as allowed by Section 12.84.160 of the zoning ordinance. In this manner, the proposal is consistent with the design and scale of the neighborhood.

**3. The improvement of the commercial structure, as shown on the elevations as submitted, is not detrimental to the character or value of an adjacent residential district.**

This type of use is allowed through the zoning ordinance with approval of a conditional use permit. While a location in a commercial or industrial zoning district is preferred, an applicant is able to locate in a residential district if no other feasible nonresidential location is available that would meet a gap in service. The search area used by T-Mobile to meet a gap in coverage included an entirely residential zoning district, therefore this site, with co-location opportunities, was the best alternative. The map defining the required coverage area is attached as Exhibit B.

The project, as put forth by T-Mobile, adds a 50'-0" tall structure to an existing site with other radio and telecommunications antennas and satellite dishes. This proposal would adhere to the maximum height zoning requirement as well as the recently adopted wireless telecommunications facility ordinance. This ordinance requires all zoning district setbacks to be met and that stealthing technology be applied. The general upkeep and maintenance of the site is excellent. San Bruno CableTV staff routinely power-washes and cleans the site and during a staff site visit, explained that Sprint Nextel would be contacted soon to power-wash their station structure. Neighborhood concern has questioned the operation of existing satellites on the subject property. CableTV and Planning staff discussed this issue raised and Planning staff was informed that all satellites are in working order and directly utilized by CableTV. As shown in the attached photos, the upkeep of the site is apparent (Exhibit E). As such, staff finds that the proposed collocation of an additional wireless telecommunications facility will not be detrimental to the character or value of the residential district in which it is located.

**4. The general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.**

The proposal as set forth is intended to improve wireless service for the T-Mobile customers and to meet federally mandated requirements for emergency 911 calls, in which user location data is made available.

This proposal would meet zoning requirements and provide the best example of a discreet wireless telecommunications facility. As such, the current proposal should not impair the investment opportunities or occupation of the residential district in which it is located.

**5. The proposed development is consistent with the general plan.**

General Plan Residential Policy 1 states that development should "Protect the residential character of existing residential neighborhoods". In this case, the proposal meets all residential zoning district setback requirements and utilizes stealth technology so that the new 50'-0" structure will be much less apparent to the surrounding area than existing structures on site.

General Plan Community Development Policy 1 states that development should "Encourage income generating development that is economically beneficial to the City and fulfills community as well as regional needs". This project would expand wireless service coverage for private customers but also expand the service coverage area needed to adequately meet federal requirements for emergency 911 caller location information.

**6. The proposal will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

As federal law prohibits the City from denying an application because of concerns regarding the safety of Radio Frequency (RF) emissions where the applicant demonstrates compliance with federal law standards, the Planning Commission may not base a use permit denial on these grounds.

Given the EMF Frequency report, the consulting engineers Hammett & Edison state that at no time would the maximum calculated cumulative level of RF exposure exceed .46% of the public exposure limit for a person anywhere at ground level or exceed 1.5% of the public exposure limit for second-floor elevations of any nearby residence. Because of these calculations, no mitigation measures beyond federal standards governing the proper maintenance of such facilities were proposed nor are restrictions allowed to be imposed per federal regulations.

In this case and considering the above mentioned findings of fact, staff concludes that this proposal would not be detrimental to the health, safety, morals, comfort or general welfare of persons residing in the nearby area.

**RECOMMENDATIONS**

Based on the above analysis and Findings of Fact 1-6 below, Staff recommends approval of Use Permit 07-011 subject to Conditions of Approval 1-13 below.

## **FINDINGS OF FACT**

1. The location, size and intensity of the proposed operation will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood due to the fact that the wireless facility will be unmanned and only require periodic maintenance, which should not increase traffic in the area.
2. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood since no height change will occur with the new facility, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood or impair the value thereof since maximum height requirements are proposed and stealth screening will be utilized.
3. The improvement of the commercial structure, as shown on the elevations as submitted, is not detrimental to the character or value of an adjacent residential district since the proposed wireless antenna facility will utilize stealth design and the site will be well maintained.
4. The general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.
5. The proposed development is consistent with the general plan, which states that any new development should protect the residential character of a neighborhood and also should serve a regional purpose.
6. The proposal will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use given the EMF Frequency report.

## **CONDITIONS OF APPROVAL**

### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-011 shall not be valid for any purpose. Use Permit 07-011 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Conditions of Approval shall be photocopied and included as a full size page in the Building Division set of drawings.

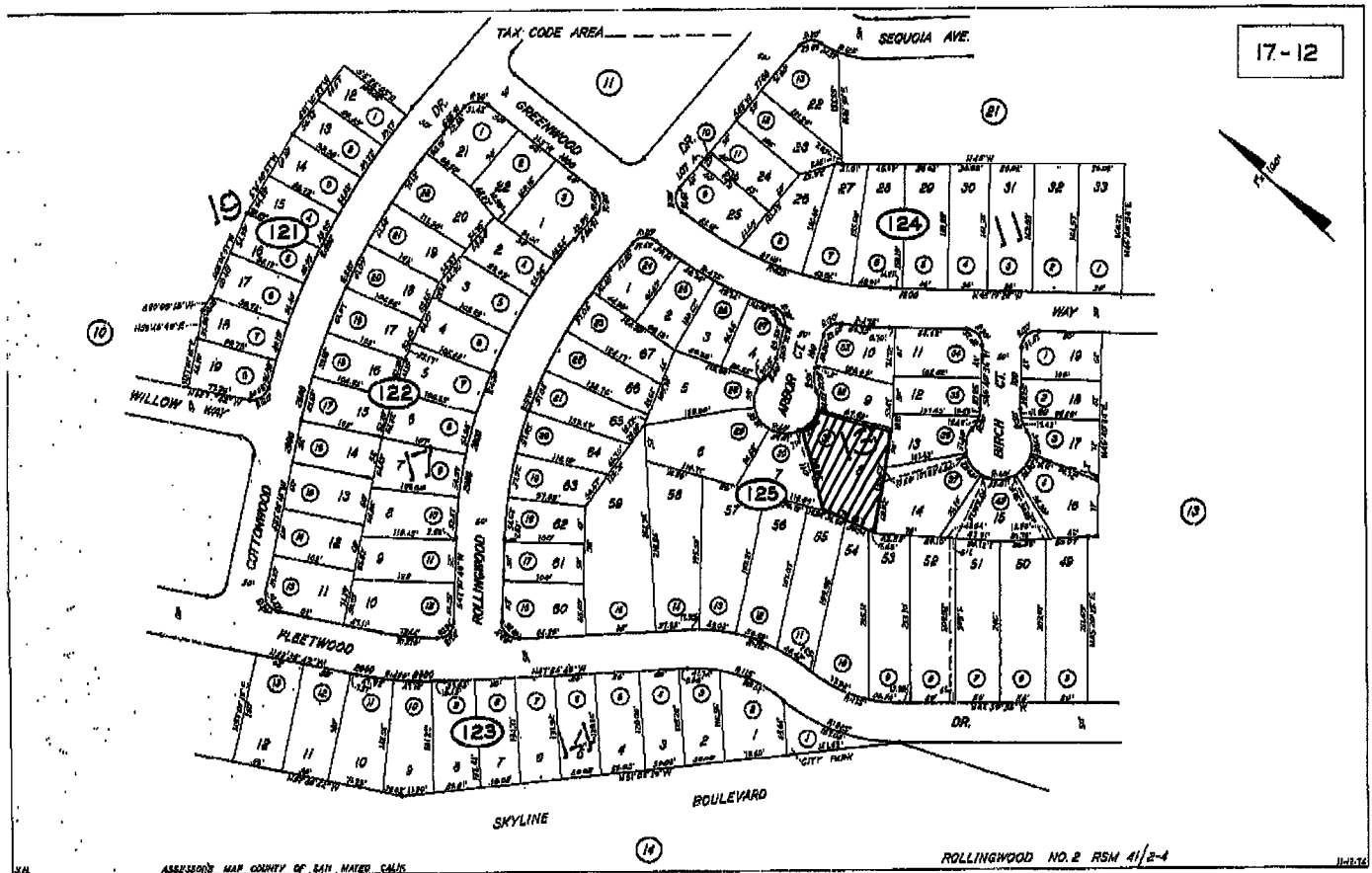
3. The request for a Use Permit to locate and construct a new wireless facility shall be built according to plans approved by the Planning Commission on June 19, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent Conditions of Approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. Model type, specifications and photos of stealthing material selected shall be submitted for Planning staff review prior to Building permit issuance.
7. Stealthing material for proposed wireless facility must be maintained in installation quality appearance for life of the tree and lease agreement and at the discretion of the Community Development Director.
8. Construction schedule and traffic plan required for Planning staff review prior to Building permit issuance
9. Any general maintenance of proposed wireless facility shall occur during the following hours only: Monday through Friday, 8:00 AM to 5:00 PM.
10. Signage shall be posted in a visible exterior location on the site with specific contact information for the wireless facility operator in case of emergency or public inquiry. Signage and location to be approved by Planning staff prior to Building Permit issuance.
11. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

**Fire Department – (650) 616-7096**

12. Provide information on battery back-up and containment for possible battery leakage during Building permit submittal.
13. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

Submitted on 6/14/07 by:

Tony Rozzi  
Assistant Planner



**No Site Address**  
**017-125-310**  
**UP-07-011**

**Exhibit A – Site Location**

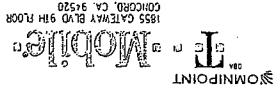


The site plan illustrates the Harbor Court development, centered around a large parking lot and several building footprints. Key features include:

- Central Building:** A large structure with a "CONCRETE SLAB" and "WOOD RETAINING WALL". It is labeled "CITY OF SAN FRANCISCO" and "APR: 017-125-210".
- Parking Lots:** Multiple parking areas are shown, including "PARKING LOT 1" and "PARKING LOT 2".
- Surrounding Areas:** The plan shows "LANDS OF THE CITY" and "LANDS OF THE COUNTY". It also includes "LANDS OF THE STATE" and "LANDS OF THE FEDERAL GOVERNMENT".
- Infrastructure:** A "WOOD RETAINING WALL" is shown along the waterfront. A "CONCRETE SLAB" is also indicated.
- Orientation and Scale:** A north arrow is located in the upper left corner. A scale bar indicates "1" = 10'.

The plan is a detailed technical drawing showing the layout of the Harbor Court development, including building footprints, parking lots, roads, and surrounding areas. It includes labels for various structures and areas, as well as a north arrow and a scale bar.

Michael Witt Architecture  
222 Sutter Street, Suite 400  
San Francisco, CA 94108  
Tel: 415.638.9594  
Fax: 415.362.8811



SF13044  
SAN BRUNO CITY  
TOWER  
130 ARBOR CT.  
SAN BRUNO, CA 94066

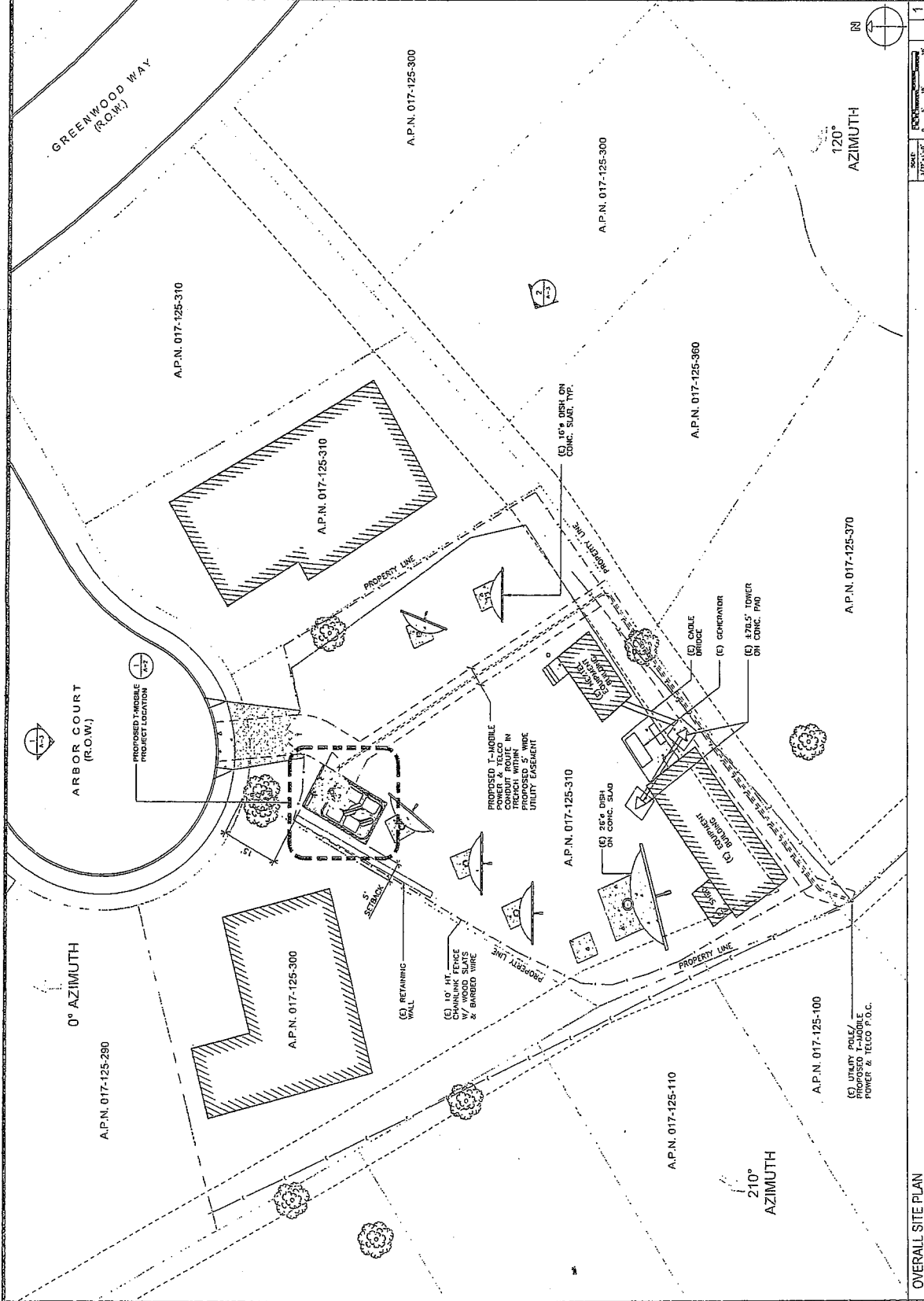
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DRAWN BY	SH
CHECKED BY	MICHAEL WITT
DATE	1/02/06/07
ISSUE	002 ZONING
DATE	2/07/07/07
ISSUE	1005 ZONING

SHEET TITLE

OVERALL  
SITE PLAN

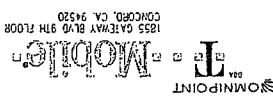
SHEET NUMBER

A-1



OVERALL SITE PLAN

Michael Will, Architecture  
222 Sutter Street, Suite 400  
San Francisco, CA 94108  
Tel: 415.635.9594  
Fax: 415.392.8811

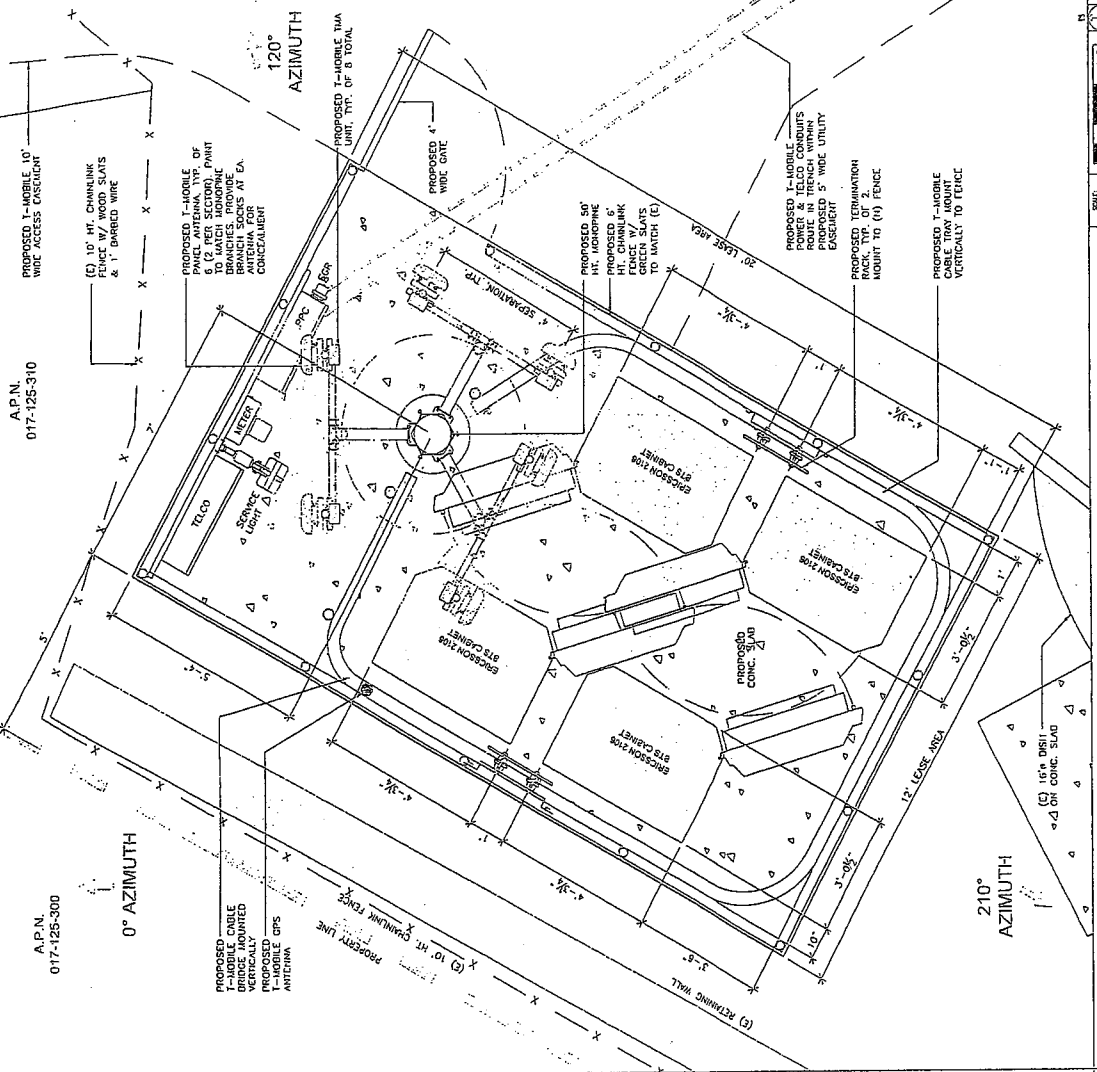


SF13044  
SAN BRUNO CITY  
TOWER  
130 ARBOR CT.  
SAN BRUNO, CA 94066

PROJECT NO.	SF13044
DESIGNED BY	MM
DATE	01/26/09
ISSUE	000% ZONING
NO.	1
DATE	02/27/09
ISSUE	100% ZONING
NO.	2

SHEET TITLE  
ENLARGED PROJECT  
SITE PLAN  
ANTENNA LAYOUTS /  
DETAILS

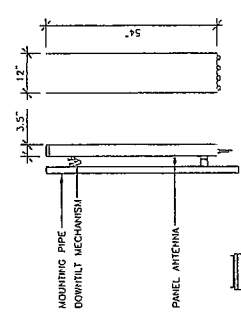
A-2



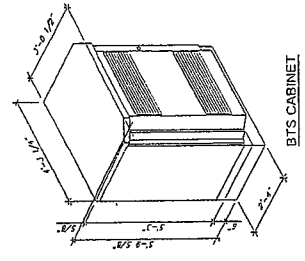
A.P.N.  
017-125-310

A.P.N.  
017-125-300

ENLARGED EQUIPMENT AREA PLAN



SIDE ELEVATION - BRICK ELEVATION  
ANDREW  
A0FD1620-55555-XDM  
SQUAD PORT PANEL ANTENNA



BTS CABINET / PANEL ANTENNA DETAILS

Michael Wilk Architecture  
222 Sutter Street, Suite 400  
San Francisco, CA 94108

tel: 415.398.8594  
fax: 415.398.0511

**Mobile**  
COMMUNICATIONS  
1355 GATEWAY BLVD 9TH FLOOR  
CONCORD, CA 94520

**POINT**  
COMMUNICATIONS

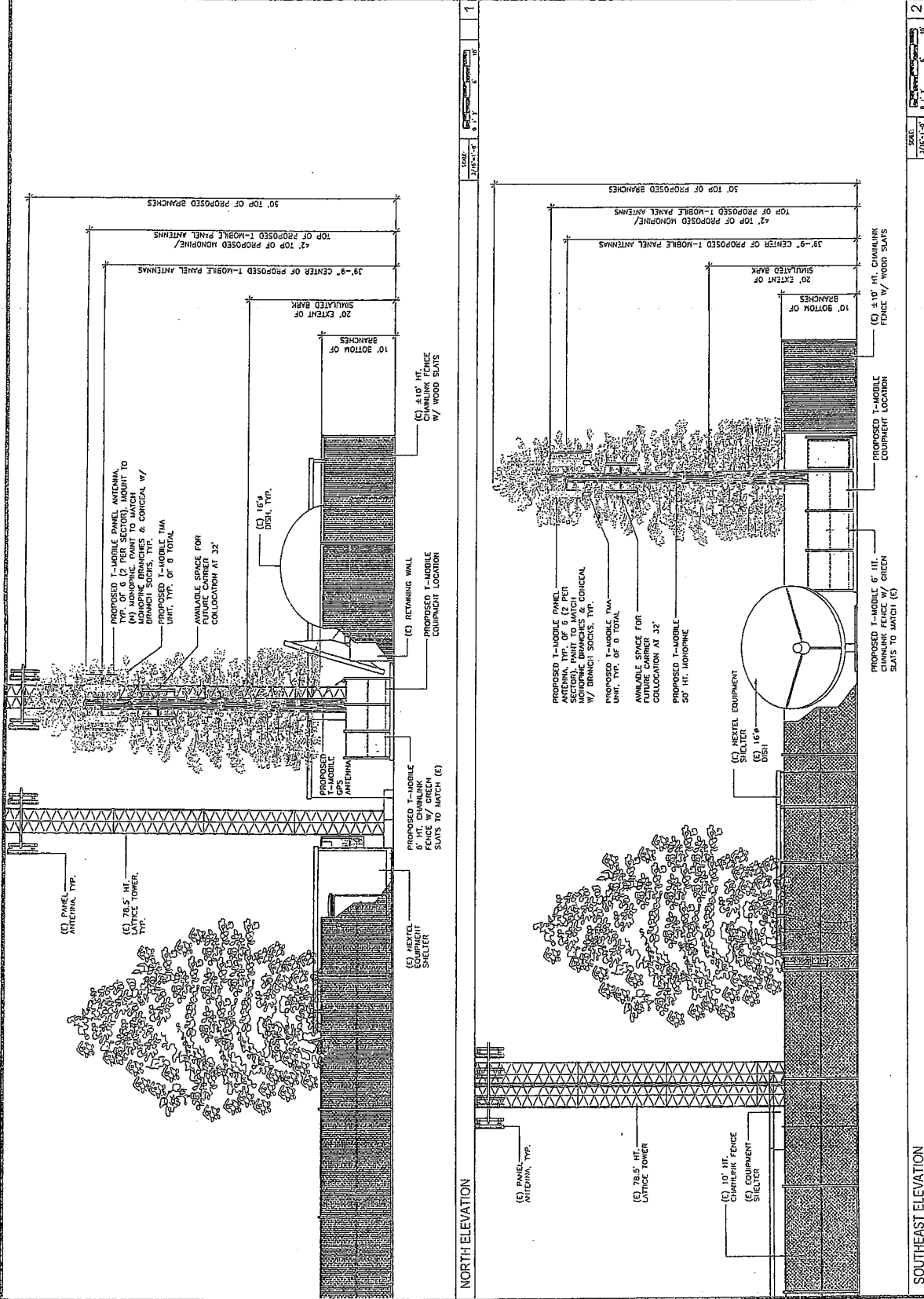
SF13044  
SAN BRUNO CITY  
TOWER  
130 ARBOR CT.  
SAN BRUNO, CA 94066

PROJECT NO.	SF13044
DATE	10/10/07
DESIGNED BY	SH
CHECKED BY	MIKEL NIK
NO.	1
DATE	10/10/07
DESIGNED BY	SH
CHECKED BY	MIKEL NIK
NO.	2
DATE	10/10/07
DESIGNED BY	SH
CHECKED BY	MIKEL NIK

ELEVATIONS

SHEET NUMBER

A-3



## Existing

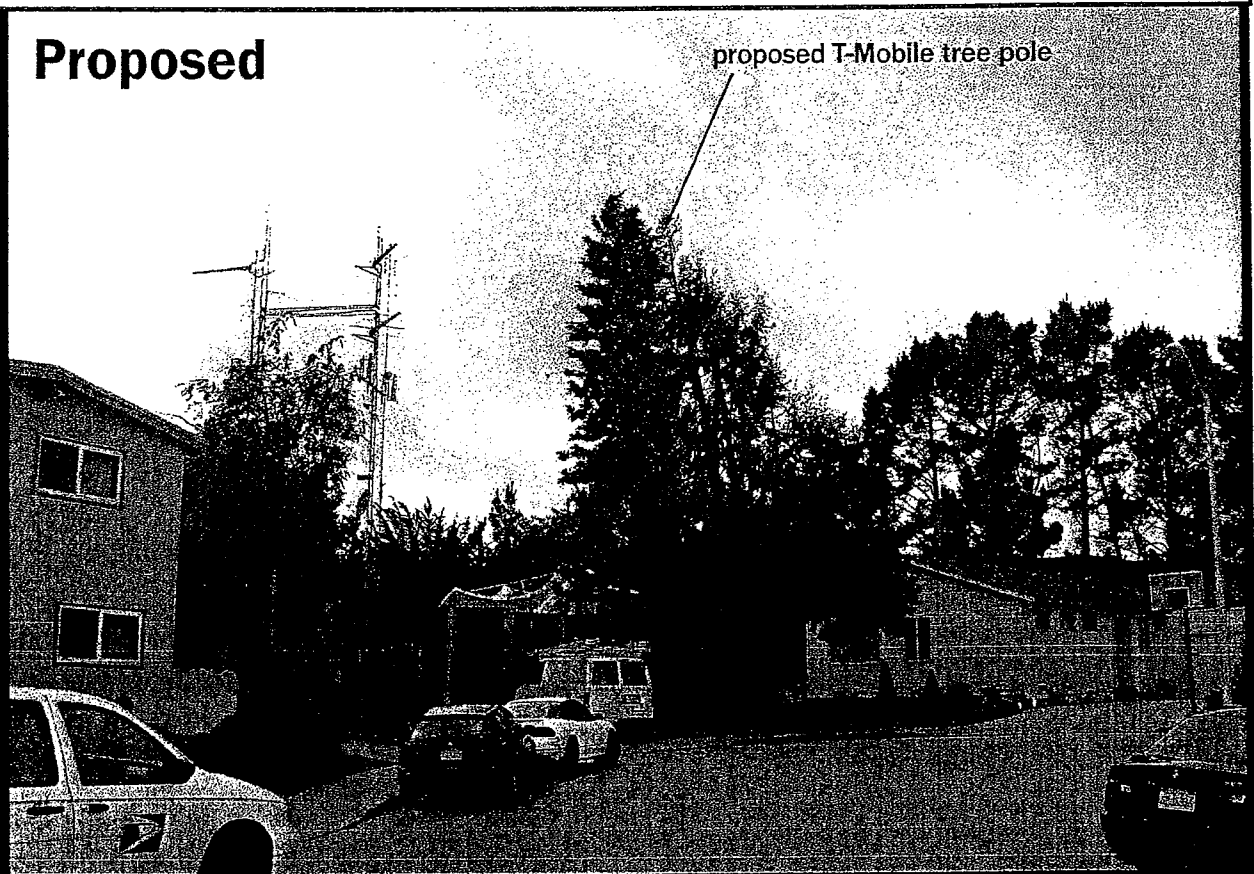


**T-Mobile**

**SF13044 San Bruno City Tower**

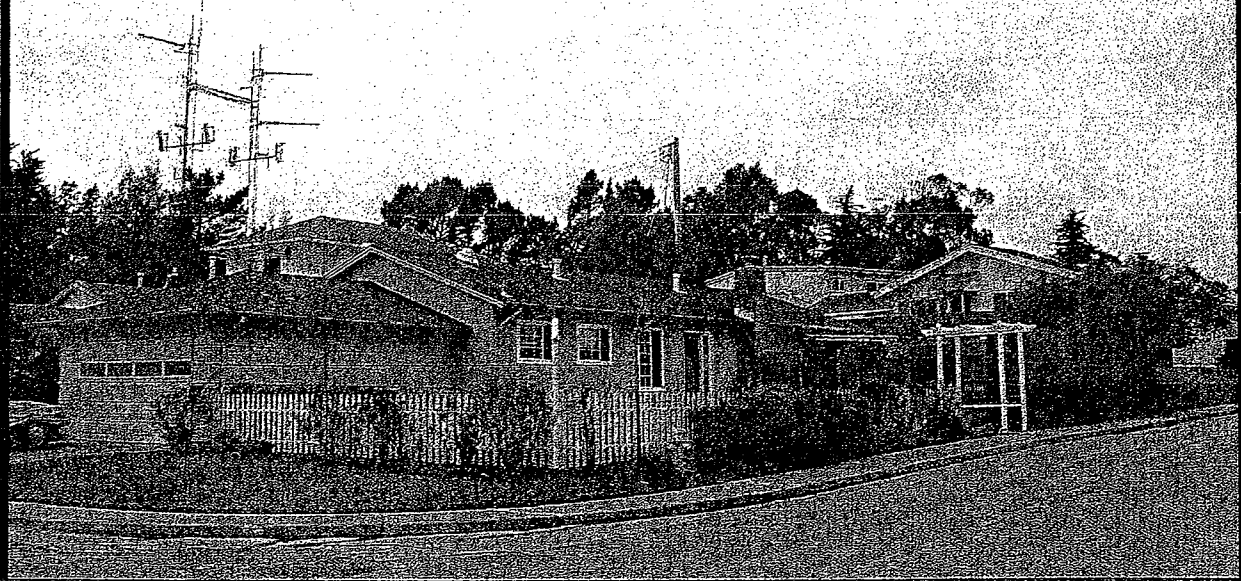
130 Arbor Court  
San Bruno, CA 94066

## Proposed



Photosimulation of the proposed telecommunication facility as seen looking south from Arbor Court

## Existing

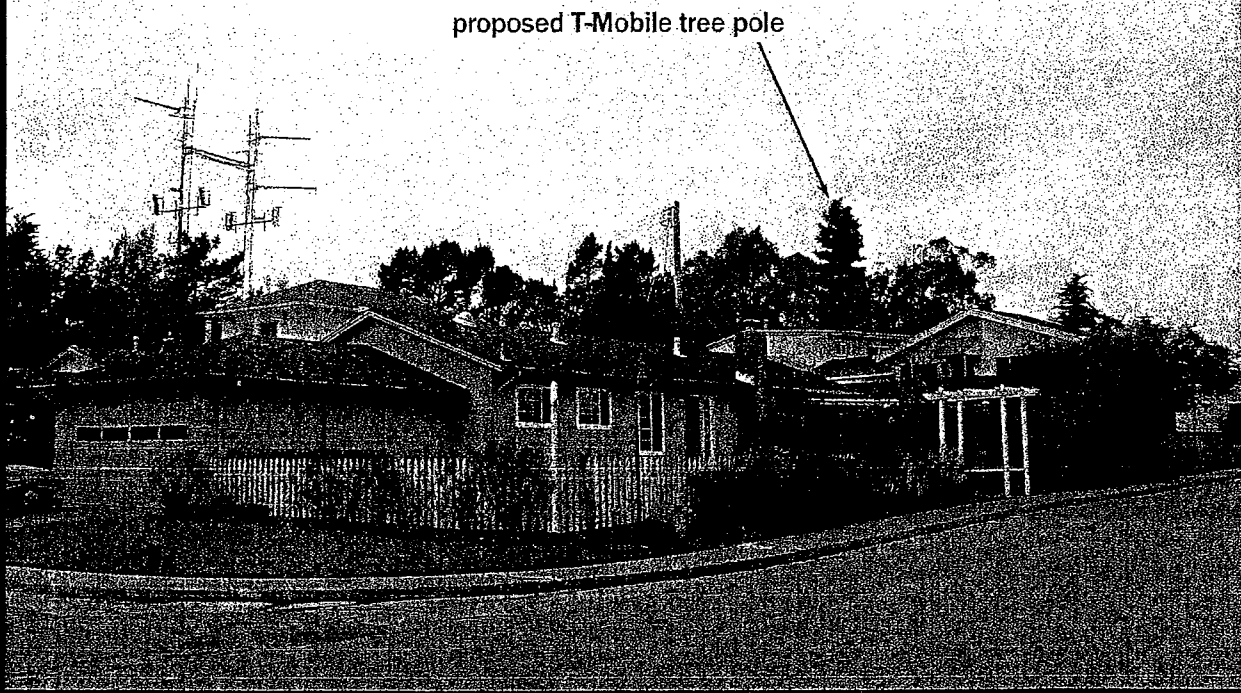


**T-Mobile**

**SF13044 San Bruno City Tower**

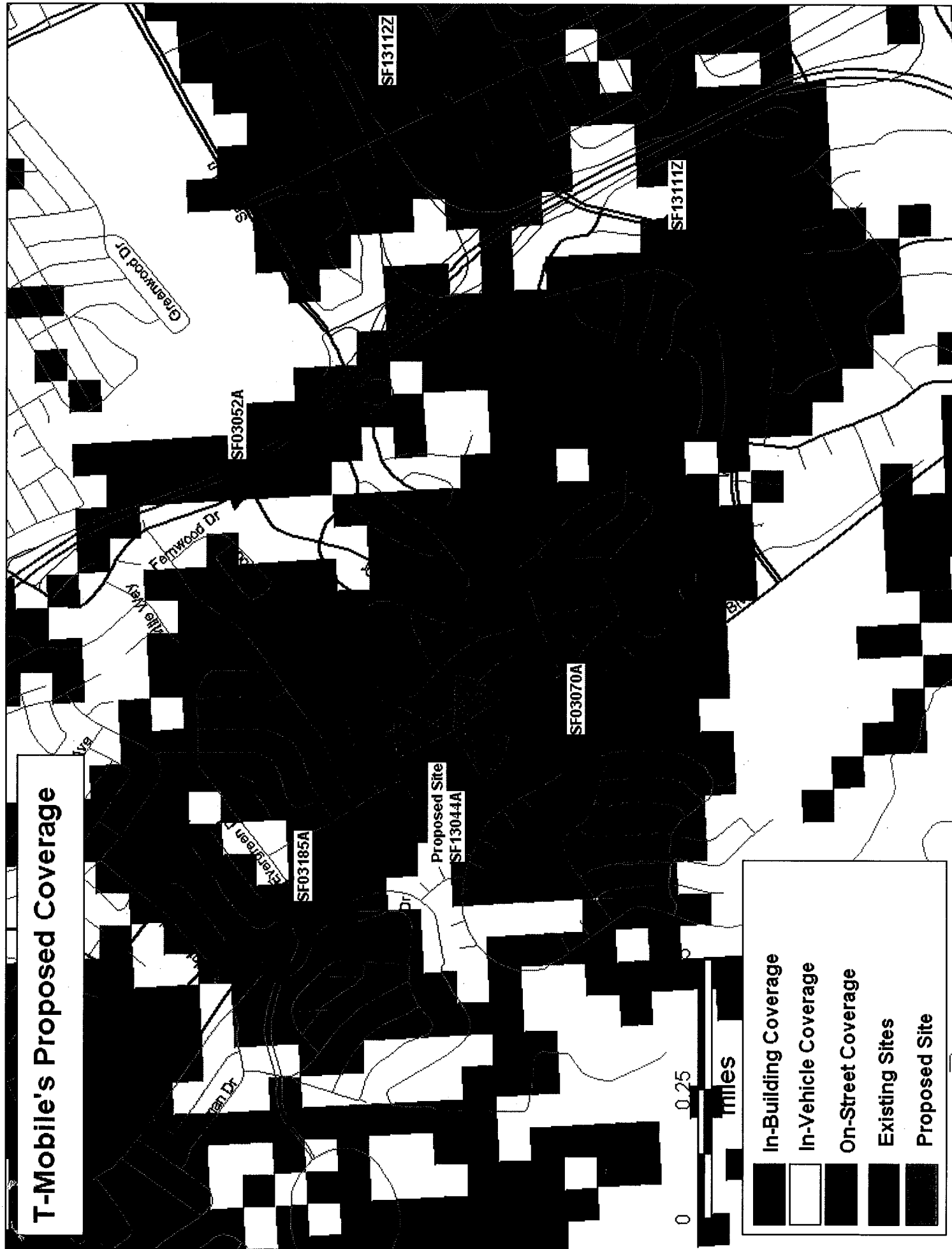
130 Arbor Court  
San Bruno, CA 94066

## Proposed



Photosimulation of the proposed telecommunication facility as seen looking northwest from Greenwood and Birch

# T-Mobile's Proposed Coverage



**T-Mobile's Existing Coverage**

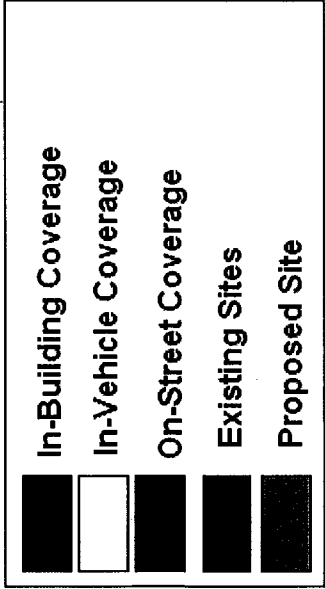
Legend:

- In-Building Coverage
- In-Vehicle Coverage
- On-Street Coverage
- Existing Sites
- Proposed Site

Scale: 0 to 0.5 miles

Map Labels:

- SF03052A
- SF13112Z
- SF13111Z
- SF03070A
- SF03185A
- Proposed Site SF13044A
- Monterey Dr
- Fair
- JQ



**T-Mobile**

Get more from life

**T-Mobile Application for a Conditional Use and  
Design Review Permit  
For  
T-Mobile project  
#SF13044 San Bruno City Tower**

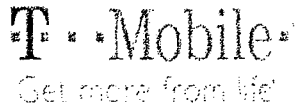
**APN: 017-125-310  
San Bruno, CA**

CITY OF SAN BRUNO  
COMMUNITY DEVELOPMENT DEPARTMENT

FEB 28 2007

**Exhibit C**

**RECEIVED**



## Project Information

**APN: 017-125-310**  
**130 Arbor Court**  
**San Bruno, CA**  
**Zoning – R-1**

T-Mobile Site No: SF 13044 San Bruno City Tower

The proposed T-Mobile project involves the installation of (6) six panel antennas (two antennas per sector, comprising a total of three sectors) to be mounted on to a new 50' freestanding stealth faux pine tree located on City of San Bruno property at 130 Arbor Court. The T-Mobile proposal also includes the placement of (4) four equipment cabinets within a 12'deep x 20'long lease area located on the ground. The proposed antennas measure approximately 4.5' long x 1' wide x 3.5" deep. The equipment cabinets measure 4'3" long x 2'-4" w x 5'9" high.

T-Mobile selected the proposed wireless telecommunications facility stealth tree pole design with the intention to replicate a natural environmental feature and thereby camouflage the T-Mobile antennas from public view and neighboring residences as specified per Section 12.220.060 of the City of San Bruno Wireless Telecommunications Ordinance. The stealth tree pole location within this property was selected in collaboration with T-Mobile based on designated available space determined by the City of San Bruno property managers. The T-Mobile faux tree pole is placed such to most effectively integrate with existing mature trees.

## Approval Request

T-Mobile respectfully requests the City of City of San Bruno's approval of a Land Use Permit to install and operate a wireless communications facility located at 130 Arbor Court. The establishment and operation of this wireless communications facility as proposed will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity. This determination is supported by the following:

1. The proposed facility is consistent with the provisions of the Zoning Ordinance for the City of City of San Bruno

2. The proposed facility falls well below the FCC's radio frequency guidelines. Please refer to the attached Radio Frequency Report section for additional information.
3. The proposed facility is in a location that will not interfere with existing land uses on the subject property and throughout the surrounding area. The facility operates quietly or virtually noise free (see attached Noise level information sheet).
4. The proposed facility will not have a significant visual impact to the surrounding areas (see attached photo simulations).
5. The proposed facility will contribute to the provision of an enhanced wireless communication technology for general public and emergency service use.
6. The establishment and operation of the proposed wireless communication facilities is not expected to have any negative impact on the environment.
7. A T-Mobile technician will likely schedule a routine visit to the site approximately once per month in order to maintain network service optimization and quality.

Furthermore, this proposal meets the following General Criteria specified per 12.220.050 of the City of San Bruno Wireless Telecommunications Ordinance:

*A. Preferred locations*

1. *Telecommunications facilities must be located in an area zoned either industrial or commercial. If a telecommunications provider wishes to locate telecommunications facilities in a residential zoned area, the provider must demonstrate to the City that no other feasible non-residential location is available that would meet a gap in service or other legitimate business need.*

The 0.5 square mile T-Mobile search area required for the coverage objective is located in an entirely residential district, therefore no other feasible non-residential locations are available that would meet a gap in service or other legitimate business need.

2. *Collocation. In order to minimize overall impact, wireless telecommunications facilities shall be designed to promote facility and site sharing.*

The underlying City property currently contains Nextel antennas which are mounted on to an existing radio lattice tower, making this an ideal candidate for wireless telecommunications site sharing. Further, the proposed 50' height of T-Mobile's faux tree pole allows space for potential future carriers to collocate on the T-Mobile pole, thereby promoting facility sharing.

*B. Preferred Structure Types*

- 1. Building-mounted antennas are encouraged, provided that the wireless communications facility is compatible with the building's design. Building-mounted antennas shall be designed either to be hidden from view or integral to the building's architecture in accordance with the city's design requirements as provided in this chapter*
- 2. When a building-mounted antenna is not possible, distributed repeater antennas are encouraged along the city's arterial and collector streets.*

Given the T-Mobile coverage objective is located entirely within a residential neighborhood, building-mounted antennas were not considered as a viable option to meet the Radio Frequency coverage objective needs. T-Mobile did not pursue distributed repeater antenna systems given this technology was not considered consistent with coverage needs in relation to the existing T-Mobile network in this region.

Applicable General Requirements specified per 12.220.050 of the City of San Bruno Wireless Telecommunications Ordinance:

*A. A Stealth design is required for all telecommunications facilities*

T-Mobile selected the proposed wireless telecommunications facility stealth tree pole design with the intention to replicate a natural environmental feature and thereby camouflage the T-Mobile antennas from public view and neighboring residences

*B. Height Limit. All telecommunications facilities shall conform to the height limits of the zoning district in which located and shall conform to City Ordinance No. 1284 which limits all building and structures to a maximum of 50 feet.*

T-Mobile's proposed wireless telecommunications facility does not exceed 50' in height.

*C. Setbacks for wireless telecommunications facilities not located on buildings or pre-existing structures shall be a distance equal to the setback requirements in the applicable zoning district, measured from the base of the pole, except that the planning commission may modify the placement of a facility when placement in a particular location will reduce visual or noise impacts.*

The proposed T-Mobile wireless telecommunications facility meets all City of San Bruno setback requirements in this zoning district.

*D. There shall be no lighting on the telecommunications facility except to the extent required by other law.*

The proposed T-Mobile wireless telecommunications stealth tree pole will not involve lighting.

- E. Telecommunications facilities shall provide underground utility service lines, if feasible.

All utility service lines corresponding to the proposed T-Mobile wireless telecommunications facility will be underground.

- F. *D. Tjere Setbacks for wireless telecommunications facilities not located on buildings or*  
*Setbacks for wireless telecommunications facilities not located on buildings or*

## Site Selection Analysis

Wireless systems are expanded or introduced in a given area to improve service to customers. There are several reasons to add a new facility. It may extend the coverage to new areas, increase the capacity of the system within the current service area, or improve quality. Some wireless facilities accomplish all three improvements.

This location was also selected because of its position relative to existing sites, providing favorable site geometry for federally mandated E911 location accuracy requirements and efficient frequency reuse. Since 40 percent of 911 calls are from mobile phones, effective site geometry within the overall network is needed to achieve accurate location information of mobile users, through triangulation with active wireless facilities.

### Coverage:

Coverage can be defined as having a certain minimum level of signal strength in a particular area. T-Mobile's target is to provide -76dBm of signal strength to our customers' areas across the network. This level of service guarantees reliable signal strength inside buildings to provide excellent voice quality in residential neighborhoods and commercial areas. In today's competitive marketplace, T-Mobile requires high quality coverage to be competitive and to fulfill our responsibilities under our FCC license, and comply with CPUC mandates

### Capacity:

Capacity is the number of calls that can be handled by a particular wireless facility. When we make phone calls, our mobile phones communicate with a nearby antenna site that can handle a limited number of calls. It then connects to land based phone lines. When a particular site is handling a sufficient number of calls, the available RF channels assigned to that site are at maximum capacity. When this occurs, the wireless phone user will hear a busy signal on his or her

phone. For T-Mobile's specific GSM technology, typical sites with 3 antennas can handle a maximum of approximately 150 calls at any given time. The call traffic at the facility is continually monitored and analyzed so that overloading of sites is prevented. The objective for a capacity site is to handle increased call volume rather than expand a coverage area.

## Alternative Site Analysis

Eliminated from consideration are sites where zoning ordinances prohibit the location, insufficient room for mechanical equipment is available, required setbacks cannot be achieved or landowners are not interested in leasing property.

## Safety and Compliance

The proposed wireless communications facility will not create any nuisance or be detrimental to the health, safety or general welfare, of persons residing or working in the neighborhood. T-Mobile technology does not interfere with any other forms of private or public communications systems, operating under FCC regulations. The wireless telecommunications facility does not pose a risk of explosion, fire or other danger to life or property due to proximity to other materials. The telecommunications facility will be designed and certified by a State of California qualified engineer, ensuring that the installation is structurally sound.

After construction of the facility, the site will be serviced once a month, during a routine scheduled maintenance window by a service technician. The site is unmanned and is a self-monitored facility. There will be no impact on parking or traffic in the area.

## Community Benefits

Since its inception, wireless communications have provided services to communities far beyond mere convenience. Many businesses and Public Safety Agencies rely on these services in order to conduct important civic and commercial duties on a daily basis. Schools rely on an ability to reach parents quickly. Commercial Wireless companies have been at the forefront of critical communications services in recent events, such as earthquakes and fires in California. Traffic issues, weather and community events, are a few of the many services now available over these same communications devices. Wireless communications are an integral part of our national telecommunications infrastructure, and each community deserves the benefit of the best and most competitive service available.

## E- 911

In accordance with Federal Communications Commission (FCC) Order 94-102, T-Mobile USA has launched a project to implement enhanced 9-1-1 services (Wireless E9-1-1) for its customers throughout California. Phase I of the project specified that the telephone number and receiving cell site or sector of the 9-1-1 caller be delivered to the 911 dispatch. Phase II adds a more precise location by triangulating on the location, (usually with 50-100 meter accuracy or better) in the form of latitude/longitude coordinates, to the Phase I information.

Many already view wireless phones as a lifeline. Each day more than 200,000 9-11 calls are made on cell phones, which is one third of all emergency calls that are placed.

## T-Mobile Company Information

Based in Bellevue, Washington, the U.S. operations of T-Mobile International AG & Co. K.G., consists of T-Mobile USA, Inc. (formerly VoiceStream Wireless) and Powertel, Inc. (together "T-Mobile"). T-Mobile is one of the fastest growing nationwide wireless service providers, offering all digital voice, messaging and high-speed wireless data services to more than 16.3 million customers in the United States. A cornerstone of T-Mobile's strong consumer appeal has been its Get More® business strategy to provide customers with the best overall value in their wireless service so they can enjoy the benefits of mobile communications to Get More From Life®. T-Mobile has more than 24,000 employees across the country dedicated to delivering on its Get More® promise to provide customers with more minutes, more features and more service. The T-Mobile global brand name made its debut in the United States in July 2002, choosing California and Nevada as the first markets in the country to launch its wireless voice and data services. Here in the Bay Area, T-Mobile has purchased and taken control of the former PacBell Wireless/ Cingular System on January 5, 2005.

T-Mobile holds license in the California Market as follows: 1950.2-1964.8, 1965.2-1969.8 MHz and 1870.2-1884.8, 1885.2-1889.8 MHz.

T-Mobile offers consumers and business customers the most advanced mobile communications services available today, including voice, text messaging, and high-speed wireless data services. T-Mobile operates an all-digital, national wireless network based exclusively on GSM technology.

### **Enhanced Messaging Services - SMS, Instant Messaging & MMS**

T-Mobile offers its customers a variety of options for using Short Messaging Service (SMS) or text messaging and Multimedia Messaging Service (MMS).

SMS: Every T-Mobile customer, regardless of device or rate plan, can send text messages via their handset to friends and family, no matter which wireless service provider they use. In addition, customers and their colleagues can use the Internet to send and receive text messages between wireless phones, devices and personal computers.

IM: T-Mobile customers can use Yahoo! ® Messenger, MSN® Messenger and AOL® Instant Messenger Software to interact with millions of instant messaging users worldwide.

MMS: T-Mobile has upgraded its entire national network to provide MMS services. MMS enables customers to complement their text messages with sound, animation and melodies to send to e-mail addresses and compatible handsets. As part of this rich visual communications offering, T-Mobile offers handsets that let customers take a picture and send it to any e-mail address or other MMS-capable phone and then talk about it — all from a single device. Additionally, MMS enables customers to send short video clips to e-mail or other MMS-capable phones, giving T-Mobile customers a whole new way to communicate.

### **2.5G GPRS High Speed Wireless Data**

T-Mobile leverages its national, standards-based GSM network to provide customers with the latest in mobile communications including wireless data access through its T-Mobile Internet service. This allows customers to remotely access the Internet; get their corporate and personal e-mail; keep contacts and calendar information updated on the go; and get popular games, news and information services such as sports scores, stock quotes, horoscopes and games delivered automatically or on demand to their wireless handset or device.

### **T-Mobile HotSpot<sup>SM</sup> - Wi-Fi (802.11b) Wireless Broadband Internet Service**

T-Mobile complements its existing national GSM/GPRS wireless voice and high-speed data network by providing Wi-Fi (802.11b) wireless broadband Internet access in more than 5,000 convenient public locations in the United States where people already go when they're away from their home or office. By combining the benefits of these networks, T-Mobile offers customers coverage where they want it and speed when they need it. T-Mobile is uniquely able to provide a comprehensive wireless service offering that meets customers' needs for wireless connectivity. Backed by T-1 circuits, T-Mobile HotSpot service is reliable and fast enough to accommodate a broad spectrum of applications from checking e-mail to multimedia videoconferencing.

**T-Mobile • Proposed Base Station (Site No. SF13044)  
130 Arbor Court • San Bruno, California**

**Statement of Hammett & Edison, Inc., Consulting Engineers**

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of T-Mobile, a personal wireless telecommunications carrier, to evaluate the base station (Site No. SF13044) proposed to be located at 130 Arbor Court in San Bruno, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

**Prevailing Exposure Standards**

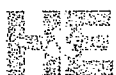
The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRP"). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent Institute of Electrical and Electronics Engineers ("IEEE") Standard C95.1-2005, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes similar exposure limits. A summary of the FCC's exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

Personal Wireless Service	Approx. Frequency	Occupational Limit	Public Limit
Personal Communication ("PCS")	1,950 MHz	5.00 mW/cm <sup>2</sup>	1.00 mW/cm <sup>2</sup>
Cellular Telephone	870	2.90	0.58
Specialized Mobile Radio	855	2.85	0.57
[most restrictive frequency range]	30-300	1.00	0.20

**General Facility Requirements**

Base stations typically consist of two distinct parts: the electronic transceivers (also called "radios" or "channels") that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables about 1 inch thick. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward



**T-Mobile • Proposed Base Station (Site No. SF13044)  
130 Arbor Court • San Bruno, California**

the horizon, with very little energy wasted toward the sky or the ground. Along with the low power of such facilities, this means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

**Computer Modeling Method**

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation," dated August 1997. Figure 2 attached describes the calculation methodologies, reflecting the facts that a directional antenna's radiation pattern is not fully formed at locations very close by (the "near-field" effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the "inverse square law"). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

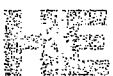
**Site and Facility Description**

Based upon information provided by T-Mobile, including drawings by Michael Wilk Architecture, dated February 6, 2007, it is proposed to mount six RFS Model APX16DWV-16DWV directional panel PCS antennas on a 42-foot steel pole, configured to resemble a pine tree, to be located inside a fenced compound at 130 Arbor Court in San Bruno. The antennas would be mounted with up to 4° downtilt at an effective height of about 40 feet above ground and would be oriented in pairs toward 0°T, 120°T, and 210°T. The maximum effective radiated power in any direction would be 1,740 watts, representing the simultaneous operation of six channels at 290 watts each.

Presently installed on two nearby 78½-foot lattice towers are similar antennas for use by Sprint Nextel, another wireless communications carrier. For the limited purposes of this study, it is assumed that Sprint Nextel has installed Andrew Model MB48RR65 directional dualband antennas at an effective height of about 50 feet above ground and operates with a maximum effective radiated power in any direction of 3,000 watts, representing simultaneous operation at 1,500 watts each for PCS and SMR service.

**Study Results**

For a person anywhere at ground, the maximum ambient RF exposure level due to the proposed T-Mobile operation is calculated to be 0.0046 mW/cm<sup>2</sup>, which is 0.46% of the applicable public exposure limit. The maximum calculated cumulative level at ground of the simultaneous operation of both carriers is 0.85% of the public limit; the maximum calculated cumulative level at the second-floor elevation of any nearby residence would be 1.5% of the public exposure limit. It should be noted that



**T-Mobile • Proposed Base Station (Site No. SF13044)  
130 Arbor Court • San Bruno, California**

these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels.

**No Recommended Mitigation Measures**

Due to their mounting location, the T-Mobile antennas would not be accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. It is presumed that T-Mobile will, as an FCC licensee, take adequate steps to ensure that its employees or contractors comply with FCC occupational exposure guidelines whenever work is required during construction or near the antennas themselves.

**Conclusion**

Based on the information and analysis above, it is the undersigned's professional opinion that the base station proposed by T-Mobile at 130 Arbor Court in San Bruno, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations.

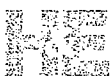
**Authorship**

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2007. This work has been carried out by him or under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.

February 26, 2007



*William F. Hammett*  
William F. Hammett, P.E.

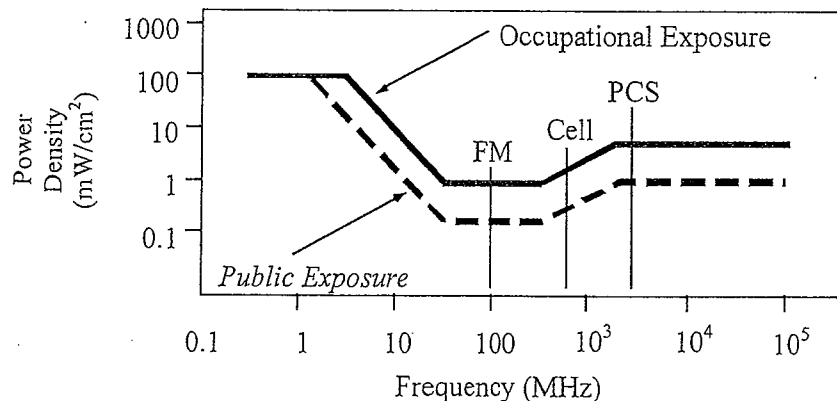


## FCC Radio Frequency Protection Guide

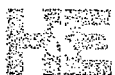
The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements, which are similar to the more recent Institute of Electrical and Electronics Engineers Standard C95.1-2005, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz." These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency Applicable Range (MHz)	Electromagnetic Fields ( <i>f</i> is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm <sup>2</sup> )	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 – 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f<sup>2</sup></i>
3.0 – 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f <sup>2</sup>	<i>180/f<sup>2</sup></i>
30 – 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 – 1,500	3.54√ <i>f</i>	<i>1.59√f</i>	√ <i>f</i> /106	<i>√f/238</i>	<i>f/300</i>	<i>f/1500</i>
1,500 – 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.



## RFR.CALC™ Calculation Methodology

### Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

#### Near Field.

Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications cell sites. The near field zone is defined by the distance, D, from an antenna beyond which the manufacturer's published, far field antenna patterns will be fully formed; the near field may exist for increasing D until some or all of three conditions have been met:

$$1) D > \frac{2h^2}{\lambda} \qquad 2) D > 5h \qquad 3) D > 1.6\lambda$$

where h = aperture height of the antenna, in meters, and  
 $\lambda$  = wavelength of the transmitted signal, in meters.

The FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives this formula for calculating power density in the near field zone about an individual RF source:

$$\text{power density } S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}, \text{ in mW/cm}^2,$$

where  $\theta_{BW}$  = half-power beamwidth of antenna, in degrees, and  
 $P_{net}$  = net power input to the antenna, in watts.

The factor of 0.1 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates distances to FCC public and occupational limits.

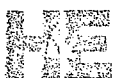
#### Far Field.

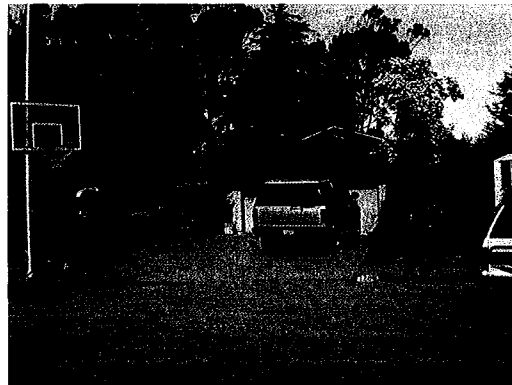
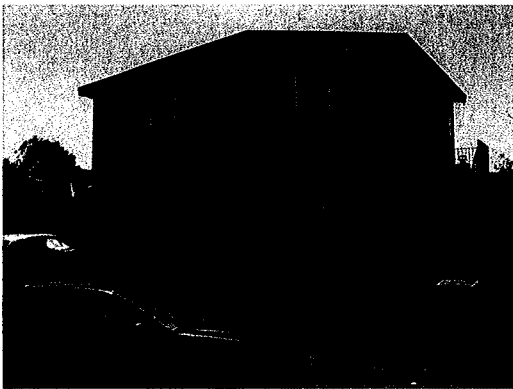
OET-65 gives this formula for calculating power density in the far field of an individual RF source:

$$\text{power density } S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}, \text{ in mW/cm}^2,$$

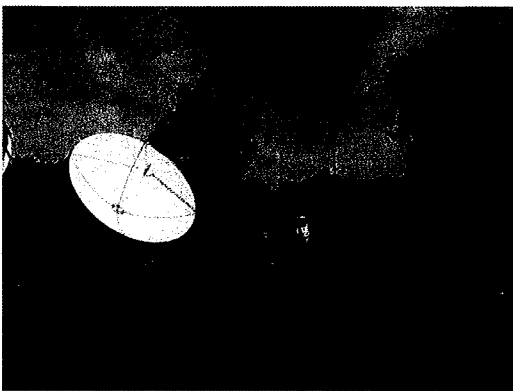
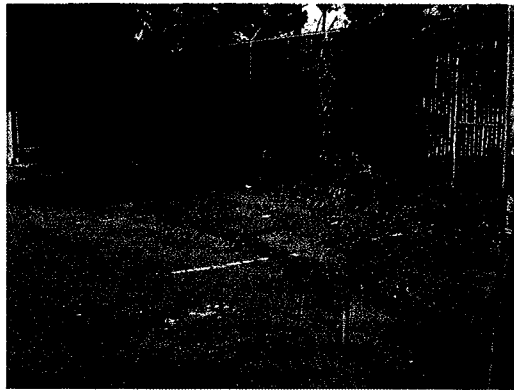
where ERP = total ERP (all polarizations), in kilowatts,  
RFF = relative field factor at the direction to the actual point of calculation, and  
D = distance from the center of radiation to the point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 ( $1.6 \times 1.6 = 2.56$ ). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections.





**Exhibit E – Photos**



**Exhibit E – Photos**

Municipal Code Chapter 12.108 (Architectural Review Permits), 12.112 (Use Permits) and as contained in this chapter. (Ord. 1711 § 1 (part), 2006)

#### **12.220.050 General criteria.**

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A. Preferred Locations.

1. Zoning. Telecommunications facilities must be located in an area zoned either industrial or commercial. If a telecommunications provider wishes to locate telecommunications facilities in a residential zoned area, the provider must demonstrate to the city that no other feasible nonresidential location is available that would meet a gap in service or other legitimate business need.

2. Co-Location. In order to minimize overall visual impact, wireless communication facilities shall be designed to promote facility and site sharing.

B. Preferred Structure Types.

1. Building-mounted antennas are encouraged, provided that the wireless communication facility is compatible with the building's design. Building-mounted antennas shall be designed either to be hidden from view or integral to the building's architecture in accordance with the city's design requirements as provided in this chapter.

2. When a building-mounted antenna is not possible, distributed repeater antennas are encouraged along the city's arterial and collector streets.

3. Where building-mounted or distributed repeater antennas are not possible, monopole antennas may be permitted, but shall be screened from public view in accordance with the city's design requirements as provided in this chapter. (Ord. 1711 § 1 (part), 2006)

#### **12.220.060 General requirements.**

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A. A stealth design is required for all telecommunications facilities.

B. Height Limit. All telecommunications facilities shall conform to the height limits of the zoning district in which located and shall conform to City Ordinance No. 1284 which limits all buildings and structures to a maximum of fifty feet.

1. Building-mounted facilities shall be no more than fifteen feet higher than the building to which it is affixed.

2. A telecommunications facility that is affixed to a structure that is higher than fifty feet because it is exempt from the city's height regulation shall be no higher than the structure.

C. Setbacks for telecommunications facilities not located on buildings or pre-existing structures, shall be a distance equal to the setback requirements in the applicable zoning district, measured from the base of the pole, except that the planning commission may modify the placement of a facility when placement in a particular location will reduce visual or noise impacts.

D. There shall be no lighting on the telecommunications facility except to the extent required by other law.

E. Telecommunications facilities shall provide underground utility service lines, if feasible. (Ord. 1711 § 1 (part), 2006)

### **Exhibit F**

#### **12.220.070 Application requirements.**

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An application for a use permit for a telecommunications facility within the city of San Bruno shall provide a

written cumulative impact analysis that includes the following information and documentation, which requirements the director of community development or other reviewing authority may waive or may require additional information based on project specific factors:

A. Applicant shall provide identification and location information for applicant, company, project manager, long-term responsible party for city and neighborhood issues, and agent for service of process.

B. Applicant shall provide proposed telecommunications facility site location and description as follows:

1. A general description of the project;
2. Site coverage map detailing ranges of existing and planned facilities, service area covered, gap coverage, and how facilities will cover the gap;
3. The need for the tower in that particular location; and
4. Alternative site selection and co-location opportunities with a statement of efforts to utilize such opportunities.

C. Applicant shall provide proposed telecommunications site and design plan as follows:

1. Description of the telecommunications facilities proposed in relation to the site;
2. Size and dimensions of the property and the proposed facilities;
3. Description of stealth design being utilized;
4. Photo simulations or other visual representations; and
5. Information on whether other technologies exist that would minimize adverse visual or other impacts, and if such technologies are available, why the applicant is not using those technologies.

D. Applicant shall provide evidence of compliance with standards as follows:

1. Radio Frequency (RF). A qualified electrical engineer licensed by the State of California shall prepare an evaluation of RF electromagnetic field exposures identifying the federal standards and demonstrating that RF levels generated by facility meet federal standards.

2. Noninterference. A written statement from a qualified engineer licensed by the State of California that the telecommunications facility will not interfere with public safety communications and the usual and customary transmission or reception of other communication services enjoyed by adjacent residential and nonresidential properties.

3. Safety. A written statement acceptable to the city's fire marshal and the building official that the facilities do not pose a risk of explosion, fire or other danger to life or property due to proximity to other materials and facility is designed and certified by a State of California qualified engineer that the telecommunications facility is structurally sound.

4. Noise and Acoustical Information. A written statement from the application explaining how the telecommunications facility is using a whisper design to minimize noise disruption.

E. Business License Required.

The applicant must submit evidence that it has received a business license to allow it to conduct business in the city, where requiring such business license is allowed by law. (Ord. 1711 § 1 (part), 2006)

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#### **12.220.080 Findings for approval.**

A. The planning commission will approve a use permit application if the applicant demonstrates that it has fully complied with the requirements of this chapter, and the planning commission can make the findings set forth in San Bruno Municipal Code Section 12.108.040 (Architectural Review Permits—Issuance conditions)

and Section 12.112.050 (Use permits—Granting), as applicable.

B. As federal law prohibits the city from denying an application because of concerns regarding the safety of RF emissions where the applicant demonstrates compliance with federal law standards, the planning commission may not base a use permit denial on these grounds.

C. If the planning commission approves an application, the commission's approval must contain conditions addressing the telecommunication facility's operation, review on periodic basis, maintenance, repair, relocation, and removal. The planning commission may impose additional conditions consistent with state and federal law, and consistent with this chapter. The planning commission may not include any condition that would unreasonably discriminate among providers of functionally equivalent providers with respect to facilities that are similarly situated in terms of structure, placement, or cumulative impact.

D. Any decision by the planning commission or the community development director must be supported by substantial evidence contained in a written record. A decision to deny an application must be in writing, and must provide a sufficient explanation of the reason for denial. (Ord. 1711 § 1 (part), 2006)

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**12.220.090 Discretionary review.**

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The community development director may review and approve applications for the following facilities provided that the applicant submits an application meeting the requirements in Section 12.220.070 (Application Requirements) and the community development director can make the findings required in Section 12.220.080 (Findings for Approval): (1) distributed repeater antennas that utilize stealth design and are located in commercial and industrial zoned areas of the city; and (2) building-mounted facilities that utilize stealth design and are located in commercial and industrial zoned areas of the city. In his or her discretion, the director of community development may refer any applications for these facilities to the architectural review committee or planning commission, as appropriate, for review and consideration. (Ord. 1711 § 1 (part), 2006)

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**12.220.100 Exempt facilities.**

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The following wireless telecommunication facilities are exempt from review under this chapter: Television antennas, home satellite dishes up to three feet in diameter, amateur radio facilities, wireless telecommunication facilities erected and operated for a public emergency situation, which shall be promptly removed at the conclusion of the emergency, mobile facilities when placed on a site for less than twenty-four consecutive hours, and facilities specifically exempted under state or federal law. (Ord. 1711 § 1 (part), 2006)

**Tony Rozzi**

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**From:** Johansson, Caroline [CAJ@dolby.com]  
**Sent:** Thursday, March 29, 2007 4:17 PM  
**To:** Tony Rozzi  
**Cc:** Chris Johansson  
**Subject:** Proposed Wireless Facility

Re: Proposed Wireless Facility at Arbor Ct., Parcel #017-125-310

Dear Tony:

Thank you for your letter dated March 27, 2007. Would you please be able to tell me if the wireless facility faux tree pole that is proposed for the lot adjacent to our property is for cell phones or what type of media/communication? In addition, do have a ballpark idea of the date of the Planning Commission meeting? I would like to know so I may plan ahead if I feel I need to attend.

Regards,

***Caroline Johansson  
2846 Fleetwood Drive  
San Bruno, CA 94066***

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**This message (including any attachments) may contain confidential information intended for a specific individual and purpose. If you are not the intended recipient, delete this message. If you are not the intended recipient, disclosing, copying, distributing, or taking any action based on this message is strictly prohibited.**

**Tony Rozzi**

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**From:** Patrick Wong [patwong@sbcglobal.net]  
**Sent:** Thursday, April 05, 2007 2:09 PM  
**To:** Tony Rozzi  
**Subject:** Proposed Wireless Facility at Arbor Ct #017-125-310  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

April 5, 2007  
City of San Bruno  
Community Development Dept  
567 El Camino Real  
San Bruno  
CA 94066  
Attn: Mr. Tony Rozzi, Assistant Planner

Dear Mr. Rozzi:

Thanks for your letter dated March 27, 2007.

Indeed it was a shock to learn that T-Mobile proposed to construct a Panel Antenna up to 42 feet at subject location. We strongly oppose to this construction based upon the following reasons.

- 1) The houses value of Arbor Court would drastically be dropped especially 140 & 160 Arbor Ct.
- 2) The continuously allowed cable companies and cell phones companies to build station of equipments at subject site will cause health issues to the neighborhood home owners
- 3) The residential appearance and the quietness of the whole Arbor Court would be infringed as more trucks traffic would be in and out at the said Ct.
- 4) We see no reason why the first abandon giant satellite dish is not being removed.
- 5) Privacy issues are also infringed.

All in all, most neighborhood home owners are unlikely to see any further new construction being done at subject site. Meanwhile, we would be grateful if you could remove the old unused satellite 26' dish on conc slab.

Thanking in anticipation for your kind attention in this matter.

I remain,

Cordially,

Patrick Wong  
160 Arbor Ct. Home owner

**Tony Rozzi**

---

**From:** Patrick Wong [patwong@sbcglobal.net]  
**Sent:** Thursday, May 10, 2007 6:57 PM  
**To:** Tony Rozzi  
**Subject:** RE: Proposed Wireless Facility at Arbor Ct #017-125-310

May 10, 2007

Dear Tony:

It was quite frustrated without receiving any public hearing notice in advance except through my email enquiry two day ago. Therefore, I could not make it present this evening.

I had been told that the 4 smaller satellite dishes would replace the giant dish at time they installed the said 4 dishes. I believe you have to clarify clearly with the concerned Cable TV engineers who installed the 4 dishes.

I might intend to sell the property to City of San Bruno if more facilities are being built at 140-150 Arbor Ct. in due course. Please take into consideration about the feelings and concerned of neighbors.

Sincerely,  
Patrick Wong

-----Original Message-----

**From:** Tony Rozzi [mailto:trozzi@sanbruno.ca.gov]  
**Sent:** May 08, 2007 8:43 AM  
**To:** Patrick Wong  
**Subject:** RE: Proposed Wireless Facility at Arbor Ct #017-125-310

Patrick

The project is being heard at the Architectural Review Committee hearing this Thursday at 6pm and will likely go to the Planning Commission the following month. All neighbors within 300' will be noticed at the time as well.

I visited the site two weeks ago and all satellite dishes are working and utilized by San Bruno CableTV for cable delivery to San Bruno homes. They are going to power wash them again soon, but they are all in functioning order.

Staff is recommending approval of this project to the Architectural Review Committee based on the applicants proposal to use stealth technology and meet all requirements per our zoning ordinance.

I'm including a staff report for your review.

Best,  
tr

TONY ROZZI

6/14/2007

ASSISTANT PLANNER

CITY OF SAN BRUNO  
567 EL CAMINO REAL  
SAN BRUNO, CA 94066  
650.616.7074  
WWW.SANBRUNO.CA.GOV  
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**From:** Patrick Wong [mailto:patwong@sbcglobal.net]  
**Sent:** Monday, May 07, 2007 10:46 PM  
**To:** Tony Rozzi  
**Subject:** RE: Proposed Wireless Facility at Arbor Ct #017-125-310

Dear Tony:

Please keep me posted for all issues regarding the wireless facility as well as the removal of defunct satellite dish.

I was out of town for 3 weeks and came back to home recently.

Sincerely,  
Patrick Wong

-----Original Message-----

**From:** Tony Rozzi [mailto:trozzi@sanbruno.ca.gov]  
**Sent:** April 09, 2007 9:20 AM  
**To:** Patrick Wong  
**Subject:** RE: Proposed Wireless Facility at Arbor Ct #017-125-310

Thanks for the email Patrick.

I will have to look into the defunct satellite dish- it would be great to have it removed if it does not have a function now.

Regarding the other concerns, I have the following general comments.

1. Our review of wireless facilities is very specific- as long as it meets certain criteria, it is up to staff recommendation and Planning Commission review. I am waiting to see a submittal from the applicant that shows their existing and proposed coverage to verify that the residential site is critical to their coverage.
2. The FCC has mandated by law that so long as wireless facilities meet certain engineering requirements (the RF calculations), no health considerations can be made for the proposed location. The thresholds they have determined are not exceeded with this application.
3. Aside from the initial construction of the facility, no ongoing traffic should ensue.

What privacy issues are you concerned about? I'm happy to look into any concern you have.

Hope these responses help some. The location of a wireless facility in a res. zone is not

overly common so we are reviewing the project closely. I'm glad you responded to the courtesy notice. I was hoping to get the neighborhood's response early on in the application process.

Talk to you soon,  
tr

TONY ROZZI  
ASSISTANT PLANNER

CITY OF SAN BRUNO  
567 EL CAMINO REAL  
SAN BRUNO, CA 94066  
650.616.7074  
WWW.SANBRUNO.CA.GOV  
-----

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**From:** Patrick Wong [mailto:patwong@sbcglobal.net]  
**Sent:** Thursday, April 05, 2007 2:09 PM  
**To:** Tony Rozzi  
**Subject:** Proposed Wireless Facility at Arbor Ct #017-125-310

April 5, 2007  
City of San Bruno  
Community Development Dept  
567 El Camino Real  
San Bruno  
CA 94066  
Attn: Mr. Tony Rozzi, Assistant Planner

Dear Mr. Rozzi:

Thanks for your letter dated March 27, 2007.

Indeed it was a shock to learn that T-Mobile proposed to construct a Panel Antenna up to 42 feet at subject location. We strongly oppose to this construction based upon the following reasons.

1. The houses value of Arbor Court would drastically be dropped especially 140 & 160 Arbor Ct.
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All in all, most neighborhood home owners are unlikely to see any further new construction being done at subject site. Meanwhile, we would be grateful if you could remove the old unused satellite 26' dish on conc slab.

Thanking in anticipation for your kind attention in this matter.

I remain,

6/14/2007

Cordially,

Patrick Wong  
160 Arbor Ct. Home owner

6/14/2007

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
Fax: (650) 873-6749  
<http://www.ci.sanbruno.ca.us>

**STAFF**

Aaron Akin, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Lisa Costa Sanders, *Acting Planning Manager*  
Tony Rozzi, *Assistant Planner*  
Laura Russell, *Assistant Planner*  
Pamela Thompson, *City Attorney*

**PLANNING COMMISSION**

Rick Biasotti, *Chair*  
Bob Marshall, Jr., *Vice-Chair*  
Kevin Chase  
Mary Lou Johnson  
Perry Petersen  
Joe Sammut  
Sujendra Mishra

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. E7  
June 19, 2007**

**PROJECT LOCATION**

1. Address: 611 El Camino Real
2. Assessor's Parcel No: 020-076-240
3. Zoning District: C (General Commercial District)
4. General Plan Classification: Commercial

**EXHIBITS**

- A: Site Location  
B: Site Plan, Floor Plans, and Elevations  
C: Photos  
D: Applicant's Support Statement

**REQUEST**

Request for a Use Permit to allow a Motor vehicle dealer in a commercial zoning district per Section 12.96.110.C.8 of the San Bruno Zoning Ordinance. Lance Metekel (Applicant), Welch Family Patnership (Owner). **UP-07-020**

**RECOMMENDATION**

Staff recommends that the Planning Commission **approve** Use Permit 07-020 based on the Findings of Fact (1-4), subject to Conditions of Approval (1-16).

**REVIEWING AGENCIES**

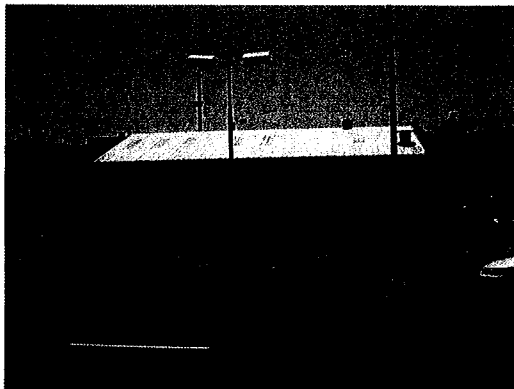
Community Development Department  
Public Works Department  
Fire Department

**LEGAL NOTICE**

1. Notices of public hearing mailed to owners of property within 300 feet on June 8, 2007.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, June 9, 2007.

**ENVIRONMENTAL ASSESSMENT**

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Existing Facilities.



### **EXISTING CONDITIONS**

The subject property fronts El Camino Real and is located near the corner of West Angus Avenue. White Way, which functions essentially as an alley way access to several properties, runs behinds the property and is parallel to El Camino Real. This is a rectangular-shaped lot with a total size of 9,000 s.f. and was formerly occupied by San Bruno Ford. The lot spans approximately 100'-0" wide and 90'-0" deep. The existing building has been occupied by a furniture retailer and the exterior display lot has remained empty. It is this portion of the site that the applicant proposes to lease for the purpose of a used vehicle

sales facility. An existing metal building, used for storage and located to the rear of the property, will not be affected as part of this proposal.

### **SURROUNDING LAND USES**

North: Camino Plaza - C Zone, general commercial district

South: W. Angus Avenue - O Zone, open space and conservation district

East: El Camino Real - C Zone, general commercial district

West: Linden Avenue - C/R-1 Zone, general commercial district (east); single-family residential (west)

### **PROJECT INFORMATION**

The applicant has proposed expanding an existing wholesale business into the retail market by locating a motor vehicle sales facility at 601 El Camino Real, formerly the San Bruno Ford site. The existing structure is currently occupied with a furniture retail business and the remaining display lot has been unoccupied since 2004. Pacific Auto Fleet, as it would be known, would occupy that exterior lot, an existing accessory structure in the north end of the lot that would serve as sales associate space and a sales office within the on-site building. This area would be leased in agreement with the existing furniture retailer and the owner of the property, Welch Family Partnership.

With this proposal, several improvements would be made to the site. They include:

1. Repainting of the office
2. New slurry and seal of the parking lot with restriping
3. Repainted handicap stall at the rear of the site
4. Installation of a 4'-0" high fence separating the exterior display area from the adjacent property
5. New signage
6. Landscaping to meet the City's 7.5% of total site requirement
7. All existing lighting will be in working condition and operable

### **PUBLIC COMMENTS**

None were submitted prior to the Public Hearing.

### **ANALYSIS**

A motor vehicle sales facility is a conditionally approved use in a commercial zone, therefore a use permit is required. Upon review of this proposal and based on input from the Police and Fire Departments, staff

has made several recommendations as conditions of approval. The key conditions to consider are listed below and will be discussed in the Findings of Fact section.

- The entire site shall be repainted, including specifically the rear fence that faces El Camino Real and the north end of the building where the handicap space will be repainted.
- The proposed customer parking located along White Way (alley between El Camino Real and Linden Avenue) shall be restriped and marked with signage for customer parking.
- No intercoms or amplified sound system shall be used on-site in relation to the proposed business.
- All on-site exterior lighting shall be operable and directed away from any nearby residential properties.
- All vehicle deliveries and pickups shall occur during the approved hours of operation only.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

With the condition that the applicant obtain a building permit prior to any tenant improvement construction, the new business will be constructed according to the Uniform Building Code (UBC) and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood.

Furthermore, the Police Department has reviewed this project and determined that with the appropriate conditions of approval requiring safety lighting and security landscaping, the operation of the proposed business will not diminish the general welfare of those who work or shop in the surrounding commercial area.

- 2. The proposed use will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

El Camino Real, from W. Angus Avenue to San Bruno Avenue, offers a variety of retail, office and personal services, including a garden center, restaurants, beauty salons and general office space. The proposal for a motor vehicle dealer is a type of retail that typically serves a local and regional area and would be appropriate to the subject location. Staff finds that given the previous use was a successful motor vehicle dealer and the surrounding area would complement this use, the proposal is consistent with the types of uses found in the general area.

The existing site is in disrepair and this proposal would improve the general appearance. By meeting the

landscaping requirement, the site will be significantly greened. The existing juniper hedge will be removed and replaced with boxwood hedge and notably, the existing rear fence will have four (4) planters with climber lattice to improve its dull appearance. Upon site visit, staff noted several issues however that should be addressed through the conditions of approval. Staff has recommended that along with the sales office as proposed, the entire site be repainted, including specifically the rear fence that faces El Camino Real and the north end of the building where the handicap space will be repainted. Additionally, where the proposed customer parking would be located along White Way (alley between El Camino Real and Linden Avenue), the parking area will need to be restriped and marked with signage for customer parking.

With guidance from the Police Department, staff is also recommending that no intercoms be used on site as a courtesy to adjacent properties and that all on-site exterior lighting be operable and directed away from any nearby residential properties along Linden Avenue. Additionally, staff has found that other motor vehicle sales facilities in the area have created a harmful noise impact with late-night vehicle delivery in the past. As such, staff is recommending that all vehicle deliveries and pickups occur during the approved hours of operation.

The proposed use would enhance the diverse character of businesses along this portion of the El Camino Real corridor, potentially interesting existing residents and shoppers in the local area. This would also improve the local area's economy since the proposed use should increase foot traffic in the area and thus benefit surrounding retail uses.

Therefore, staff determines that with the included conditions of approval governing the site appearance, security lighting, noise and hours of operation, the proposed motor vehicle sales facility will not be detrimental to improvements in the neighborhood or to the general welfare of the City.

### **3. The proposed use will be consistent with the general plan.**

The San Bruno General Plan designates the property as a commercial district. The proposed business is thus consistent with the commercial general plan designation.

General Plan Commercial Policy 1 states "encourage income generating development that is economically beneficial to the City and fulfills community as well as regional needs". There is an absence of this type of business since San Bruno Ford relocated from San Bruno and the proposal should meet community and regional interests.

General Plan Commercial Policy 4 states "Support upgrading of commercial and office structures citywide, particularly along El Camino Real and San Bruno Avenue, with setbacks, sign controls, and attractive façade and landscaping". As discussed in Finding 2, the proposed use would enhance the diverse character of businesses along the El Camino Real corridor, potentially interesting existing residents and shoppers in the local area. Additionally, new landscaping to meet the city standards has been proposed, upgrading the site from its current blighted state.

### **4. The proposed use complies with applicable off-street parking standards of the zoning ordinance.**

The previous tenant at 601 El Camino Real was San Bruno Ford, a motor vehicle retail facility. This is

the same proposed use and therefore does not increase the parking requirements for the given site. Although the existing building is separately leased to a furniture retailer, that use relies on separate parking spaces. In this manner, the proposed use complies with the applicable off-street parking standards of the zoning ordinance.

### **RECOMMENDATION**

Based on the above analysis and Findings of Fact 1-4 below, Staff recommends approval of Use Permit 07-020 subject to conditions 1-16 below.

### **FINDINGS OF FACT**

1. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed use will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the use is consistent with the types of businesses located in the surrounding area.
3. The proposed use will be consistent with the general plan, since the proposed use meets the general plan designation of commercial for the subject property.
4. The proposed use complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

### **CONDITIONS OF APPROVAL**

#### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-020 shall not be valid for any purpose. Use Permit 07-020 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be submitted to the Community Development Department prior to operation.
3. The request for a Use Permit to operate a motor vehicle sales facility shall be built according to plans approved by the Planning Commission on June 19, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before any construction can proceed. The operation of any equipment or performance of any outside construction related to this project

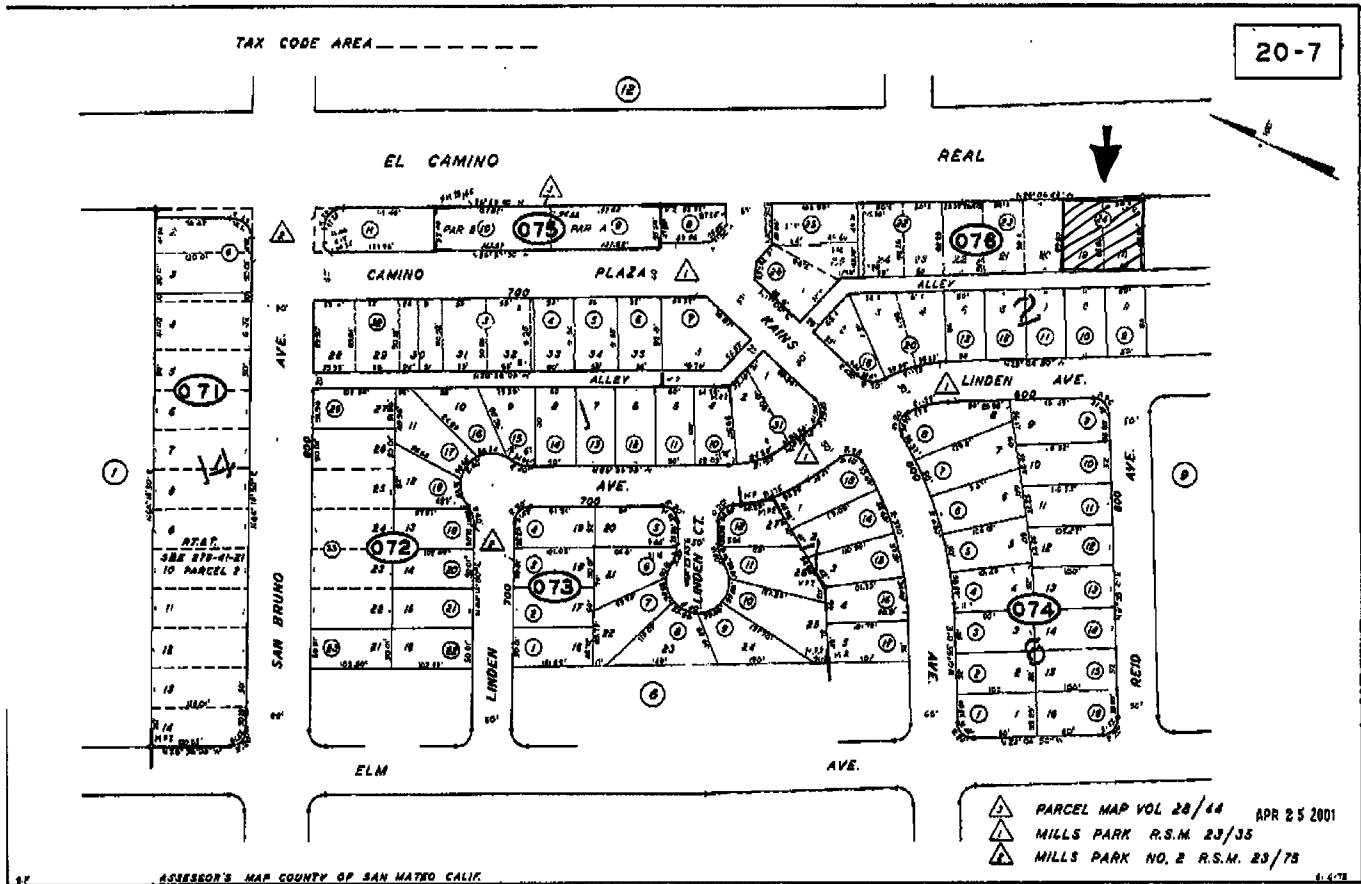
shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to operation and final inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The applicant and any successor in interest, shall agree to operate the motor vehicle sales facility at 611 El Camino Real in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in business activities shall require prior authorization by the Community Development Director and may require full Planning Commission review. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
7. The permitted hours of operation of the facility shall be seven days a week between the hours of 7 AM and 8 PM. Any changes to these hours of operation shall require prior authorization from the Community Development Director.
8. The entire site shall be repainted, including specifically the rear fence that faces El Camino Real and the north end of the building where the handicap space will be repainted.
9. The proposed customer parking located along White Way (alley between El Camino Real and Linden Avenue) shall be restriped and marked with signage for customer parking.
10. No intercoms or amplified sound system shall be used on-site in relation to the proposed business.
11. All on-site exterior lighting shall be operable and directed away from any nearby residential properties.
12. All vehicle deliveries and pickups shall occur during the approved hours of operation only.
13. Wall between restroom and ceiling must extend to the ceiling to separate odors.
14. Restroom shall be ADA compliant.

**Fire Department – (650) 616-7096**

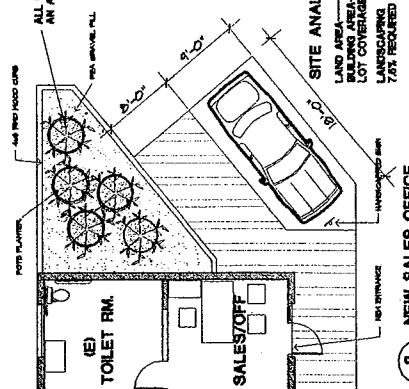
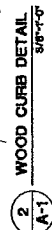
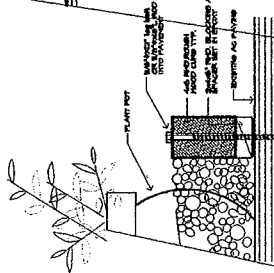
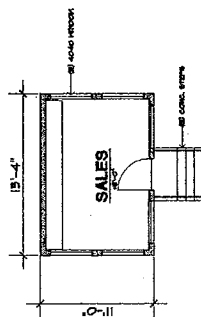
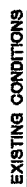
15. Provide each office space with a minimum 2A 10BC fire extinguisher, mount and label.
16. 611 El Camino Real shall be the new address per Fire Marshall and Building Official. Applicant shall apply for new address formally with the Building Official prior to operation.

Submitted on 06/12/07 by:  
Tony Rozzi  
Assistant Planner



611 El Camino Real  
020-076-240  
UP 07-020

Exhibit A – Site Location

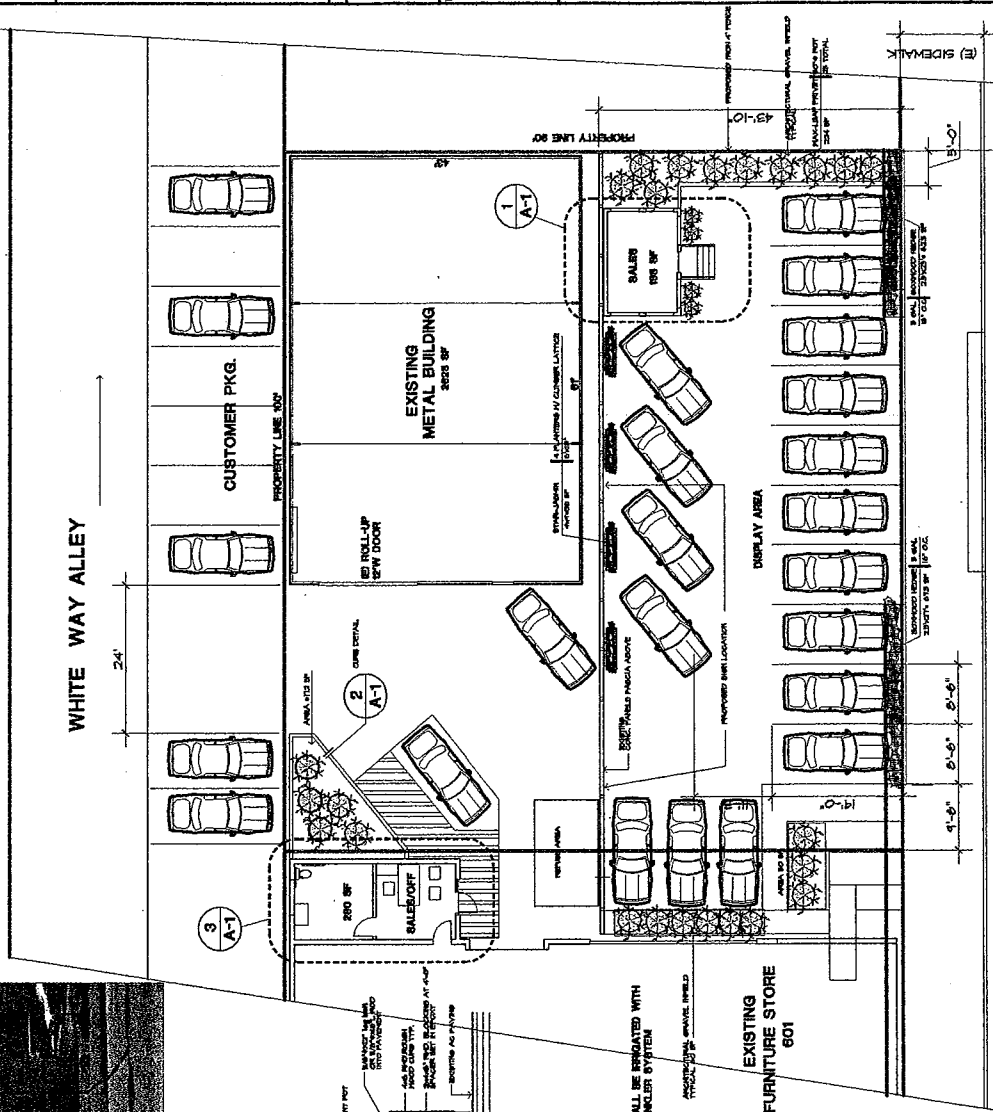


**SITE ANALYSIS**  
LAND AREA----- 900  
BUILDING AREA----- 275  
LOT COVERAGE-----  
LANDSCAPING  
7.6% REQUIRED - 675 SF  
= 602 SF

**NEW SALES OFFICE**

- 002 SF PROVIDED

## Exhibit B – Site, Floor & Elevation Plans



## SITE PLAN

**EL CAMINO REAL**

10-1-57

**EXISTING  
COMMERCIAL BLDG  
CAR SALES  
SITE**

**801-A EL CAMINO REAL  
SAN BRUNO, CA**

**ANTONIO M. BRANCI**  
**ARCHITECT LLC C-6738**  
TEL 949-499-3916 FAX 949-471-9600  
604 LARCH AVE.  
SOUTH SAN FRANCISCO, CA 94068  
ABRANZIA@aol.com

**NOTE.** All drawings and written material appearing herein constitute the original and unpublished work of the Architect and the same may not be duplicated, used or disclosed without the written consent of the Architect. Full payment for the work presented constitutes the consent of the Architect unless otherwise agreed by contract.

## 5.11

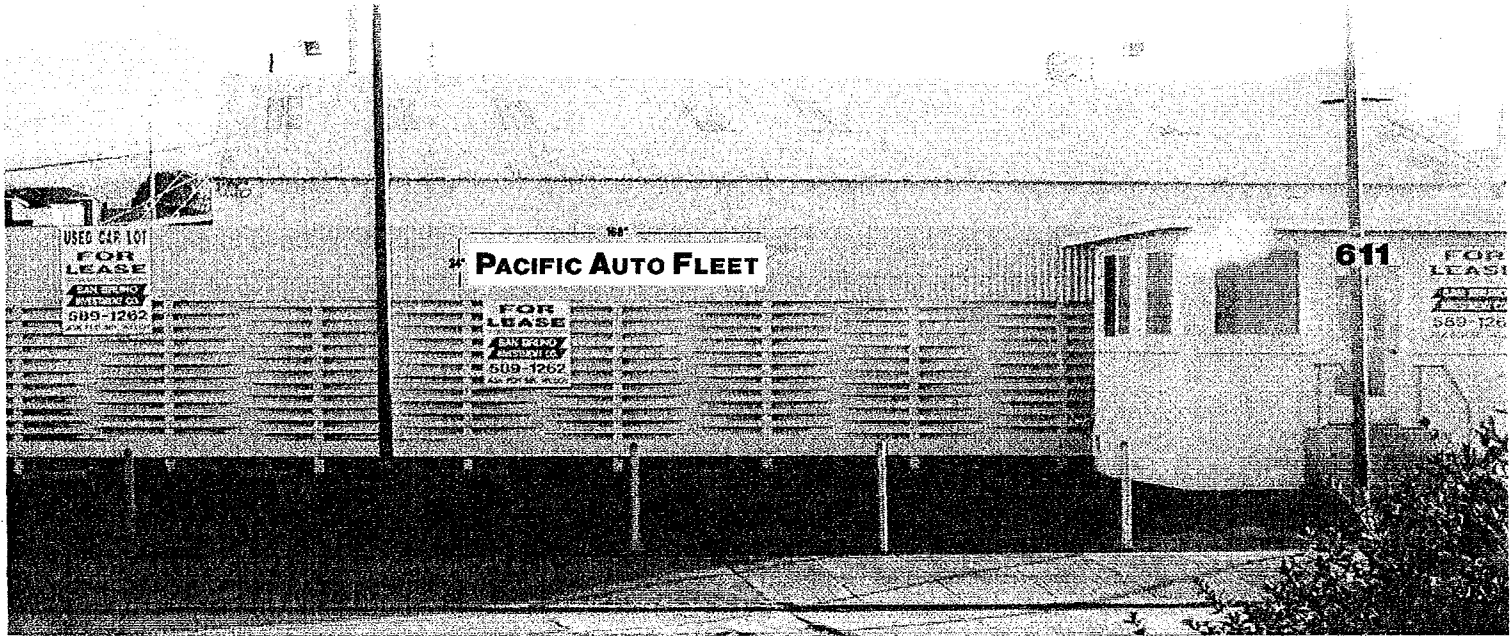
## SITE PLAN

JOB NO.	053007
SCALE	AS SHOWN
DRAWN BY	A.M. BRAND
DESIGNED BY	A.M. BRAND
CHECKED BY	
DATE	8-8-07

**A-1 OF 1**

# ***SIGN★A★RAMA***

**1470 El Camino Real, San Bruno, CA 94066 650.589.2188 Fax 650.583.9668**



**611 EL CAMINO REAL**

**NOT TO SCALE**

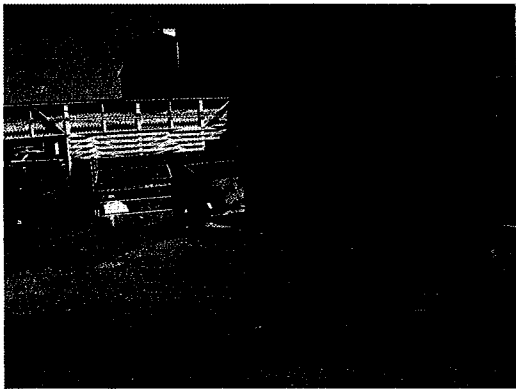
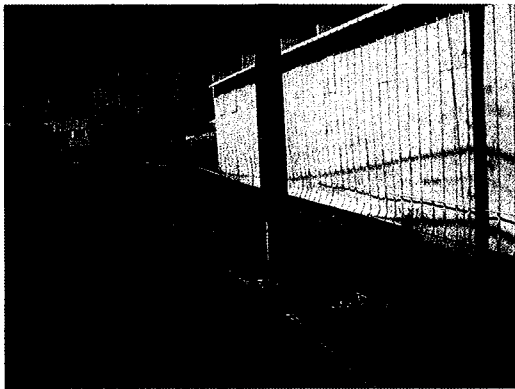
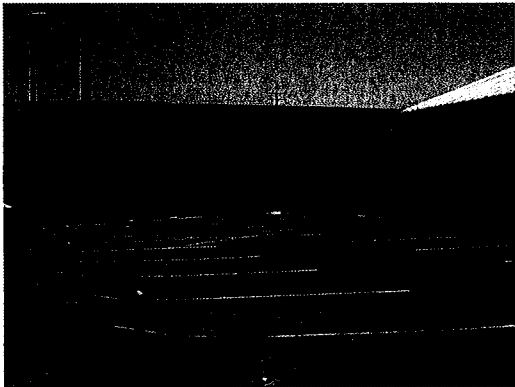
## **SIGN SPECS:**

**24"H x 168"W AND 12" BLUE ADDRESS NUMBERS  
12" and 9" BLUE RAISED ACRYLIC LETTERS  
MOUNTED ON WHITE SIGN BOARD.**

## **MOUNTING SPECS:**

**1/4" DIAMETER X 3" LENGTH SCREW BOLTS WITH WASHER/ HEX NUT**

**email: [signaramajsc@pacbell.net](mailto:signaramajsc@pacbell.net)**



**Exhibit C – Photos**



1995–1996

**San Francisco Honda  
Pre-owned Sales Manager**

San Francisco, California

- At this dealership, I more than exceeded prior sales for the used car dept
- Responsible for complete retail and wholesale operations as well as inventory management, purchasing of used vehicles, reconditioning advertising, and merchandising.
- Assisted sales staff in negotiating and securing deals. Desking & closing
- Responsible for hiring and training of all sales staff.
- Created employee incentive programs dependent upon meeting monthly quotas

1993-1995

**Putnam Toyota  
Sales Manager**

Burlingame, California

- Responsible for complete retail sales operations of new and used automobiles, as well as inventory management, advertising, and merchandising.
- Assisted sales staff in negotiating and securing deals. Desking & closing deals
- Responsible for hiring and training of all sales staff.
- Created employee incentive programs dependent upon meeting monthly quotas

1991-1993

**Almaden Mazda  
Sales Manager**

San Jose, California

- Responsible for complete retail sales operations of new and used automobiles, as well as inventory management, advertising, and merchandising.
- Assisted sales staff in negotiating and securing deals. Desking & closing deals
- Responsible for hiring and training of all sales staff.
- Created employee incentive programs dependent upon meeting monthly quotas

1986-1991

**Bill Cox Cadillac  
Auto SalesPerson**

Oakland, California

- Responsible for retail sales of new and used Cadillac's, as well as inventory management, and merchandising.
- Assisted prospective customers in the purchase and lease of new & used vehicles.
- Extensive customer follow-up for repeat business

1983-1986

**Serramonte Ford  
Auto SalesPerson**

Colma, California

- Responsible for retail sales of new and used Cadillac's, as well as inventory management, and merchandising.
- Assisted prospective customers in the purchase and lease of new & used vehicles.
- Extensive customer follow-up for repeat business

## **2. Type of Business**

### **Used Auto Sales**

- 15-20 car inventory
- \$8,000-\$25,000 price range
- 50% domestic cars & trucks, 50% import cars & trucks
- 60 day turn over
- Financing with outside sources (credit unions, local banks, etc...)

Hours of operation: 7 days 10am-6pm in the beginning and then within 6 months possibly increase hours to 10am-8pm depending upon needs of the customer

Staff: 1-2 employees, Part time DMV clerk to process title & registration transfer

Parking: reserved spaces on rear of lot, 1 handicapped parking rear of lot between furniture store and enclosed where house

Lot access: Enter & exit thru rear of lot and front driveway

## **3.Improvements**

Paint office on lot, inside and out, existing color

Slurry seal lot, front and back

Install 4 ft high fence on right side of lot next to the garden center

Front of lot will be landscaped and potted plants and trees will be positioned throughout entire lot.

Handicapped stall will be painted clearly.

Existing lighting will be operable

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
Fax: (650) 873-6749  
<http://www.ci.sanbruno.ca.us>

**STAFF**

Aaron Akin, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Lisa Costa Sanders, *Acting Planning Manager*  
Tony Rozzi, *Assistant Planner*  
Laura Russell, *Assistant Planner*  
Pamela Thompson, *City Attorney*

**PLANNING COMMISSION**

Rick Biasotti, *Chair*  
Bob Marshall, Jr., *Vice-Chair*  
Kevin Chase  
Mary Lou Johnson  
Perry Petersen  
Joe Sammut  
Sujendra Mishra

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. E 6  
June 19, 2007**

**PROJECT LOCATION**

1. Address: 751 Kains Avenue
2. Assessor's Parcel No.: 020-076-050, 020-076-060, 020-076-070, 020-076-080, 020-076-090, 020-076-100, 020-076-110, 020-076-120, 020-076-130, 020-076-160
3. Zoning District: C (Commercial District)
4. General Plan Classification: Commercial
5. Property is located in the San Bruno Redevelopment Area

**EXHIBITS**

- A. Site Location
- B. Site Plan
- C. Photos of Site & Building

**REQUEST**

Request for a Use Permit to allow a vehicle storage lot for a Motor vehicle dealer at the subject site per Section 12.96.110.C.8 of the San Bruno Zoning Ordinance. Melody Toyota (Applicant) / GW Williams (Owner). **UP-07-019**

**RECOMMENDATION**

Staff recommends that the Planning Commission **approve** Conditional Use Permit 07-019 based on Findings of Fact (1-3) and Conditions of Approval (1-24).

**REVIEWING AGENCIES**

Community Development Department  
Public Works Department  
Fire Department  
Police Department

**LEGAL NOTICE**

1. Advertisement published in the *San Mateo Times*, Saturday, June 9, 2007
2. Notices of Public Hearing mailed to owners of property within 300 feet on June 8, 2007.

## **ENVIRONMENTAL ASSESSMENT**

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Existing Facilities

## **EXISTING CONDITION**

The subject property is located in the Mills Park Subdivision. The subject site consists of a fenced in parking lot, located between Angus Avenue, Kains Avenue, White Way and Linden Avenue. The site is approximately 38,378 square feet in area with a total of 105 parking spaces. The parking lot previously served as the rear portion of San Bruno Ford (vacated the site in 2005) and most recently as corporate airport parking.

The subject property is surrounded with a variety of uses which include single-family homes, commercial businesses and the San Bruno Library. The single-family homes are located directly west of the parking lot along Linden Avenue. The commercial businesses are located to the north and east of the subject property, and include small store fronts on Kains Avenue, the Sloat Garden Center and Furniture Gallery on El Camino Real. Directly south of the parking lot is the San Bruno Public Library followed by San Bruno City Hall.

## **SURROUNDING LAND USES**

North: Camino Plaza (C) – General Commercial District

South: Angus Avenue – San Bruno Public Library

East: El Camino Real, (C)– General Commercial

West: Linden Avenue (R-1) – Single Family Residential District

## **PROJECT DESCRIPTION**

The applicant is proposing to utilize the subject site as a storage parking lot for Melody Toyota. Melody Toyota operates at 750 El Camino Real, just north of the subject site. There are a total of 96 parking spaces within the fenced area at this lot, which is accessed off of White Way (small alleyway between El Camino Real and Linden Avenue). An additional six parking spaces outside of the fenced area are provided for library parking accessed from Angus Avenue and Linden Avenue. The frontage along Linden Avenue contains a 14'-8" wide landscaping strip with small trees, vines and ground cover. The fence that encloses the lot is chain link with wood slats in fairly good condition.

The applicant proposes to utilize the site Monday through Saturday from 9:00 a.m. until 9:00 p.m. and on Sundays from 10:00 a.m. until 7:00 p.m. The applicant would like to utilize the lot for storage of new vehicles for the Melody Toyota dealership located across the street and to the north at 750 El Camino Real. All delivery of vehicles to this site will be driven in on a vehicle-by-vehicle basis. Vehicles will not be delivered to this site by a large transport truck. Large transport truck will continue to deliver vehicles to the service and parts facility located at 222 East San Bruno Avenue. Vehicles will be driven from the service and parts facility to the subject site via Kains Avenue to the access gate at the northern end of the lot along White Way. The applicant requested the ability for salespersons to bring customers to the storage lot to view or test drive vehicles if they do not have a duplicate vehicle already on the showroom lot. Staff is concerned that this additional activity expands the requested use beyond a vehicle storage facility could cause impacts to the neighborhood. Staff has added a condition of approval prohibiting customers from accessing the site. The applicant also requested the ability to rinse and dry the vehicles

on-site once a week. Staff has added a condition of approval to limit the vehicle cleaning activities to Monday through Friday between 8:00 a.m. and 5:00 p.m. and in compliance with County storm water regulations.

### **PROJECT ANALYSIS**

The use of this lot for outside parking requires a use permit as it is an automobile related use within a Commercial zone. The subject parking lot is in a unique location, as it is commercially zoned, yet does not have any commercial street frontage. The only access to the parking lot is through White Way, which is a small alleyway between El Camino Real and Linden Avenue.

While San Bruno Ford operated successfully on this site for many years, there were a number of complaints from neighborhood residents. The complaints included lack of landscaping upkeep, employees and customers parking in the residential neighborhood, and noise generated from business activities (late evening activities, car unloading, and a loud employee paging system). Staff has reviewed this application and determined that the negative impacts historically associated with the San Bruno Ford operation will not be produced by the subject business.

Due to the lack of commercial frontage for this site, Staff finds that this is a suitable use for this site. The use itself will have a minimal impact to the surrounding neighborhood, while providing support for a local business.

The project has been reviewed and conditions of approval have been provided by all the necessary departments. These conditions of approval will further minimize the impact of this business. The findings and conditions are listed below, as well as the reasons for each finding.

#### **The project will have the following beneficial impacts:**

- A vacant site will be utilized, thereby decreasing blight in the immediate area.
- The landscaping along Linden Avenue will be maintained as a result of this application.
- The applicant has agreed to continue to allow library patrons to utilize parking on the subject site.

### **NEIGHBORHOOD CONCERNS**

As required, staff noticed all property owners within 300' of the subject site and was contacted by one neighbor in the immediate area. That neighbor expressed concern with car washing on-site during late hours, paging system and hours of operation. As a result of this conversation, staff has added the following additional conditions of approval, which specifically address these concerns;

- Condition 15 prohibits use of an amplified paging system.
- Condition 16 limits the hours of operation to Monday through Saturday 9:00 a.m. until 9:00 p.m. and on Sunday from 10:00 a.m. until 7:00 p.m.
- Condition 19 further limits the hours for car cleaning to Monday through Friday from 8:00 a.m. until 5:00 p.m.
- Condition 24 prohibits customers from accessing the site.

## **FINDINGS OF FACT**

- 1. The use of this property as a vehicle storage lot will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use;**

The proposed use will fit in well the surrounding area, which includes retails uses, commercial uses, and residential uses. In addition, this site had also been used for an auto related use in the past. The application has been conditioned to minimize the impact of this use on the surrounding neighborhood. Conditions include maintaining the fence around the perimeter of the site for safety and aesthetic reasons, limiting the hours of operation, and minimizing the noise associated with the use. Landscaping will also be maintained along Linden Avenue. With the conditions, this application will not be detrimental to the health, safety, morals, comfort and general welfare of the neighborhood.

- 2. The proposed use of this property as a vehicle storage lot will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city; and**

The proposed use of this site as a vehicle storage lot will be compatible with the surrounding area which includes retail, office and residential uses. In order to separate the storage facility from the surrounding uses, a 6' slatted fence was installed and will be maintained as required per the conditions of approval. To further separate the lot from the residential uses, the property owner installed new landscaping in the planting area along Linden Avenue. To improve the appearance of the business from the El Camino Real, a new fence was installed along White Way. The business plan also lends itself to being compatible with the surrounding area. The vehicles will be delivered in one by one by employees and no customers will access the site. Further, no other activities will be conducted at this site (no repairs, no amplified paging system, etc.). Therefore as proposed, and with the attached conditions of approval, the vehicle storage facility will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city

- 3. The use of this property as a vehicle storage lot will not be inconsistent with the general plan.**

The General Plan designates this site for commercial purposes, which allows for convenience and retail commercial uses, professional services, hospitals, offices, furniture stores, wholesale retail trade, and auto-related uses. The proposed vehicle storage lot is an auto related use, and therefore consistent with the General Plan.

## **CONDITIONS FOR APPROVAL**

### **General Conditions**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary Hearing" to the Community Development Department within 30 days of approval. Until such time as the Summary is filed, Use Permit 07-019 shall not be valid for any purpose. Use Permit 07-019 shall expire one (1) year from the date of approval unless the plan is executed.
2. The vehicle storage use shall be conducted according to the plans accompanying this report and approved by the Planning Commission, except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.
3. The applicant and any successor in interest, shall agree to operate the vehicle storage lot in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in business activities shall require prior authorization by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.

### **POLICE DEPARTMENT CONDITIONS**

4. All retail/commercial building addresses shall be visible during the hours of darkness with the address numbers being a minimum of 8" numbers.
5. Adequate lighting of parking lots and associated car ports, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with enough lighting of sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe secure environment for all persons, property, and vehicles on site.
6. Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along fence and property lines.
7. The proposed parking lot shall be completely enclosed with a 6' slatted fence and maintained to the satisfaction of the Police and Community Development Departments.
8. The applicant shall have a security plan approved the Police Department prior to operating the business. The Police Department highly recommends having a security guard present at all times.

### **FIRE DEPARTMENT CONDITIONS**

9. Provide Knox Box Keyed System for access to parking lot gates for Fire Department Entry. Applicant must obtain an application for a Knox Box from the Fire Department.

### **PUBLIC WORKS CONDITONS**

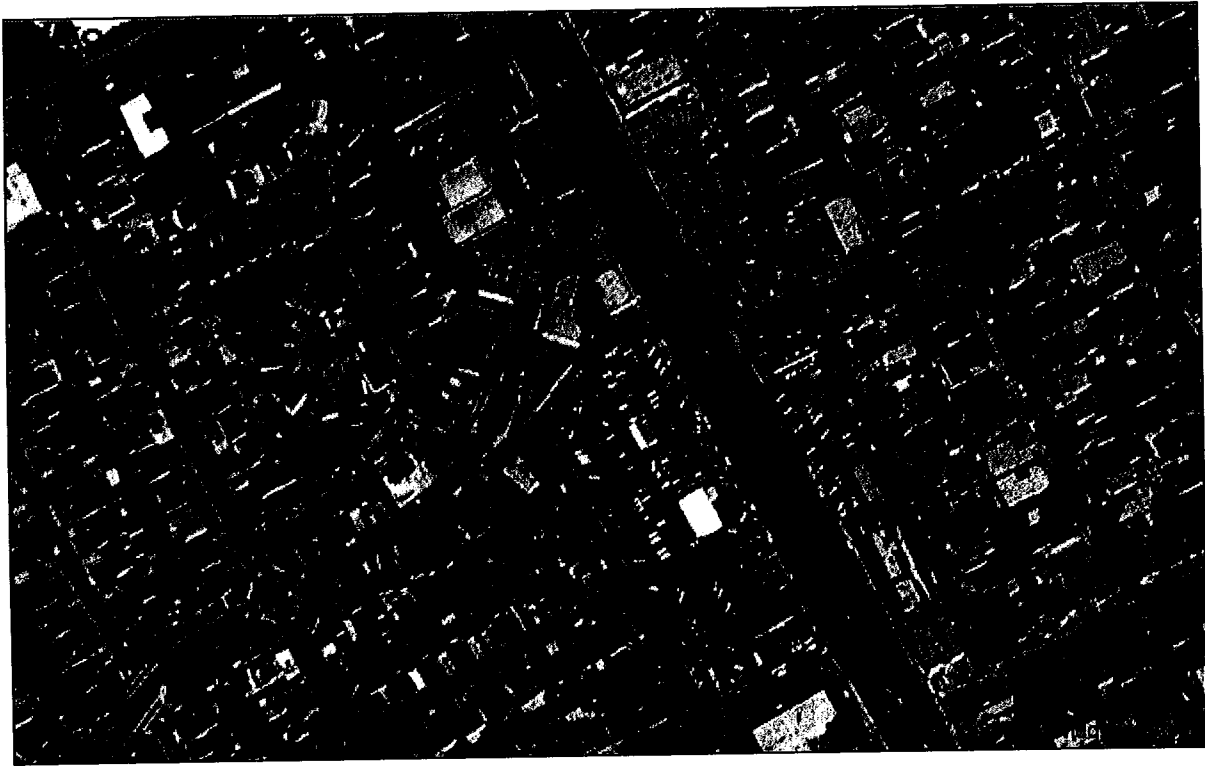
10. An erosion control plan and pollution plan is required. The plan must indicate that all existing storm drain inlets and other storm water collection locations must be protected by silt screens or a silt fence.

### **PLANNING DIVISION CONDITONS**

11. All lighting onsite must point away from the adjacent residential neighborhood.
12. Landscaping shall be maintained to the satisfaction of Planning Division staff. Failure to properly maintain the landscaping and buffer the site from residential uses could result in revocation of use permit.
13. All vehicles stored onsite must be fully operable.
14. All vehicles associated with this business must be parked entirely onsite and not in nearby residential or commercial neighborhoods.
15. No amplified paging system is allowed.
16. The hours of operation shall not exceed:  
MON-SAT: 9:00 AM – 9:00 PM  
SUNDAY: 10:00 AM – 7:00 PM
17. Any modification to the hours of operation require the approval of the Community Development Director. All vehicle delivery must be made during the business hours listed in condition #23.
18. No one may spend the night onsite (security excluded).
19. The applicant may rinse the vehicles with purified water in compliance with the storm water regulations to the satisfaction of the County of San Mateo. Rinsing and drying of vehicles may only occur Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m..
20. No vehicle repair or bodywork is allowed onsite.
21. The site shall be used for vehicle storage only. No other miscellaneous storage is allowed onsite.
22. All vehicles delivered to this site shall be driven individually and shall not be delivered by a transport truck or towed by any other vehicle.

23. Employees shall use White Way via Kains Avenue or Angus Avenue to access the parking lot. Vehicles associated with the business shall not travel on Linden Avenue.
24. Customers shall not have access to the site.

Date of Preparation: June 8, 2007  
Prepared by: Lisa Costa Sanders, Acting Planning Manager



*SUBJECT SITE*

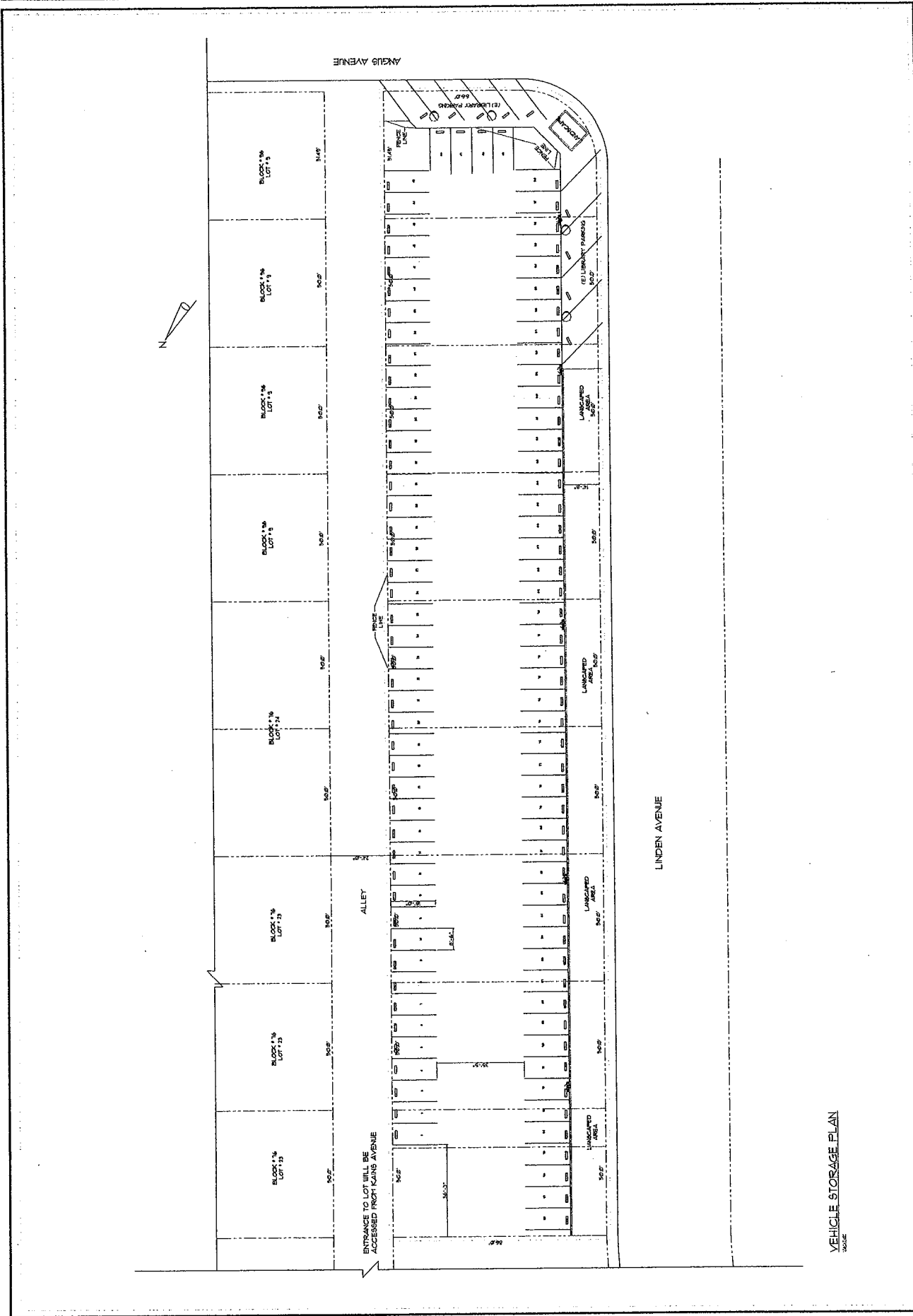
**Exhibit A**

REVISIONS	BY

SARINA B. HILKES  
 COMMERCIAL &  
 RESIDENTIAL DESIGN  
 10000 Wilshire Blvd, Suite 1000  
 Los Angeles, CA 90024  
 Phone: 310.206.1111  
 Fax: 310.206.1112  
 Email: sarina@sbh.com

# VEHICLE STORAGE PLAN-PARKING

MELODY TOYOTA: VEHICLE STORAGE  
 777 KAINS AVENUE  
 SAN BRUNO, CA 94066  
 Date: 05/07/07  
 Scale: AS NOTED  
 Drawn: SJ  
 Job: 0701  
 Sheet: AB-12  
 of TWO Sheets



VEHICLE STORAGE PLAN

This is a high-contrast, black and white aerial photograph of a city street grid. The streets are clearly visible as dark lines forming a rectangular pattern. In the bottom left corner, there is a prominent circular feature, likely a roundabout or a large circular park. The overall image has a grainy, high-contrast appearance, typical of older aerial photography.

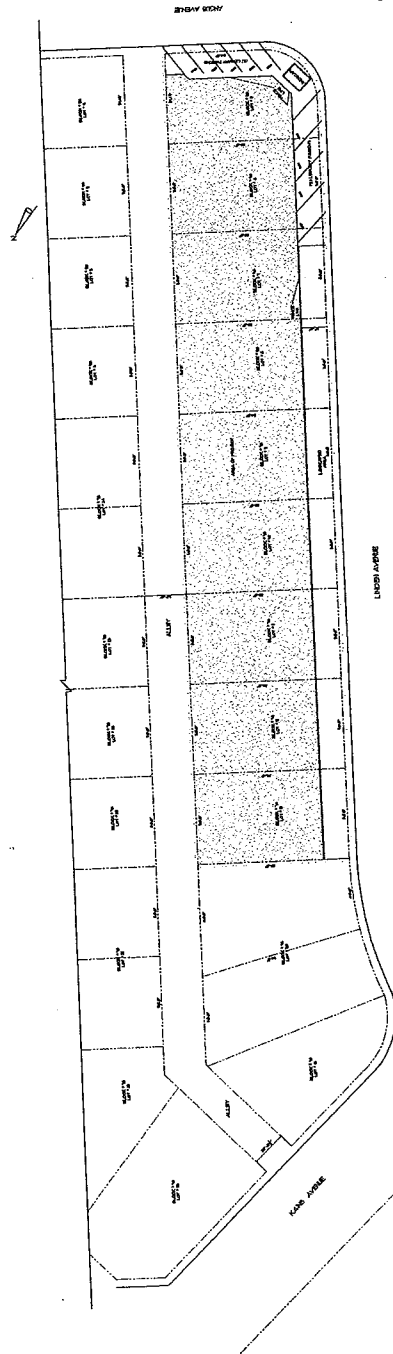
SITE PLAN

NELLODY TOYOTA: VEHICLE STORAGE		NELLODY	
477 KAINS AVENUE		777 KAINS AVENUE	
SAN BRUNO, CA 94066		SAN BRUNO, CA 94066	
Date:	05/07/01	Rate:	AS NOTED
Credit:	50	Days:	50
Job:	0701	Sheet:	0701
of TWO Sheets		AB-10	

CITY OF SAN BRUNO  
COMMUNITY DEVELOPMENT DEPT.  
MAY 08 2007

MAY 08 2007

RECEIVED



## SITE PLAN

MELODY TOYOTA  
- VEHICLE STORAGE  
777 KANSAS AVENUE  
SAN BRUNO, CA

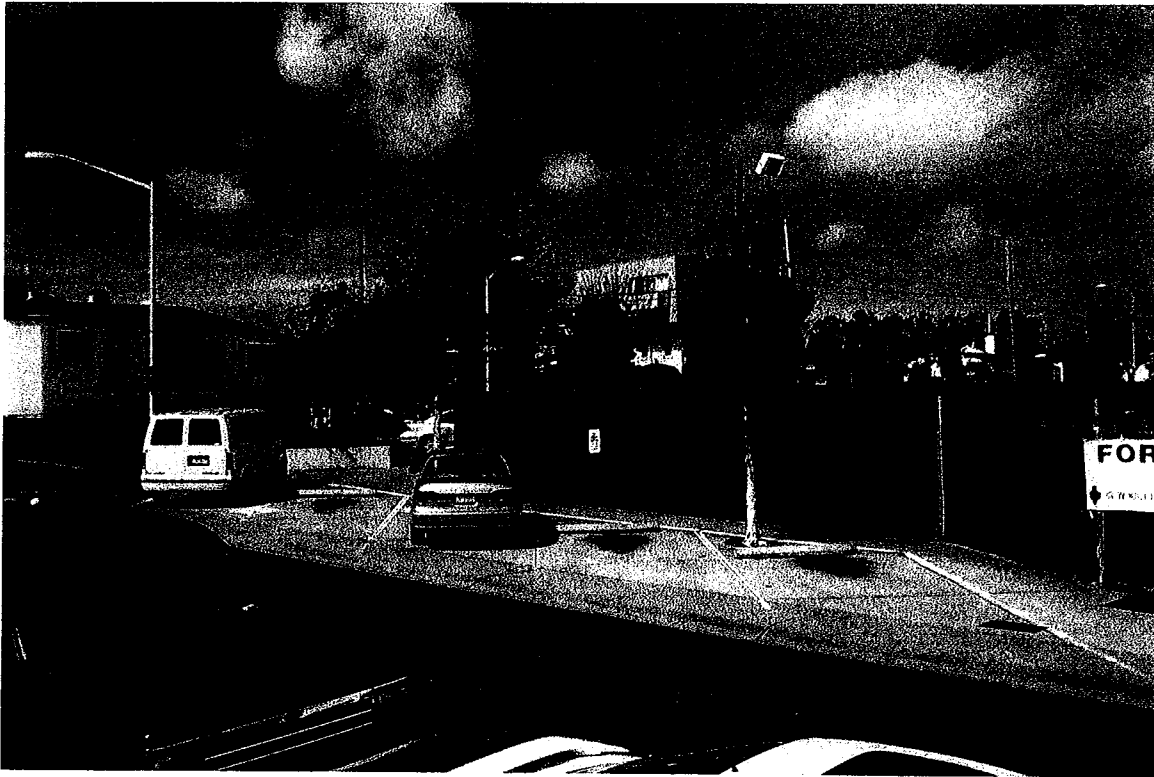


SOUTH EAST CORNER VIEW

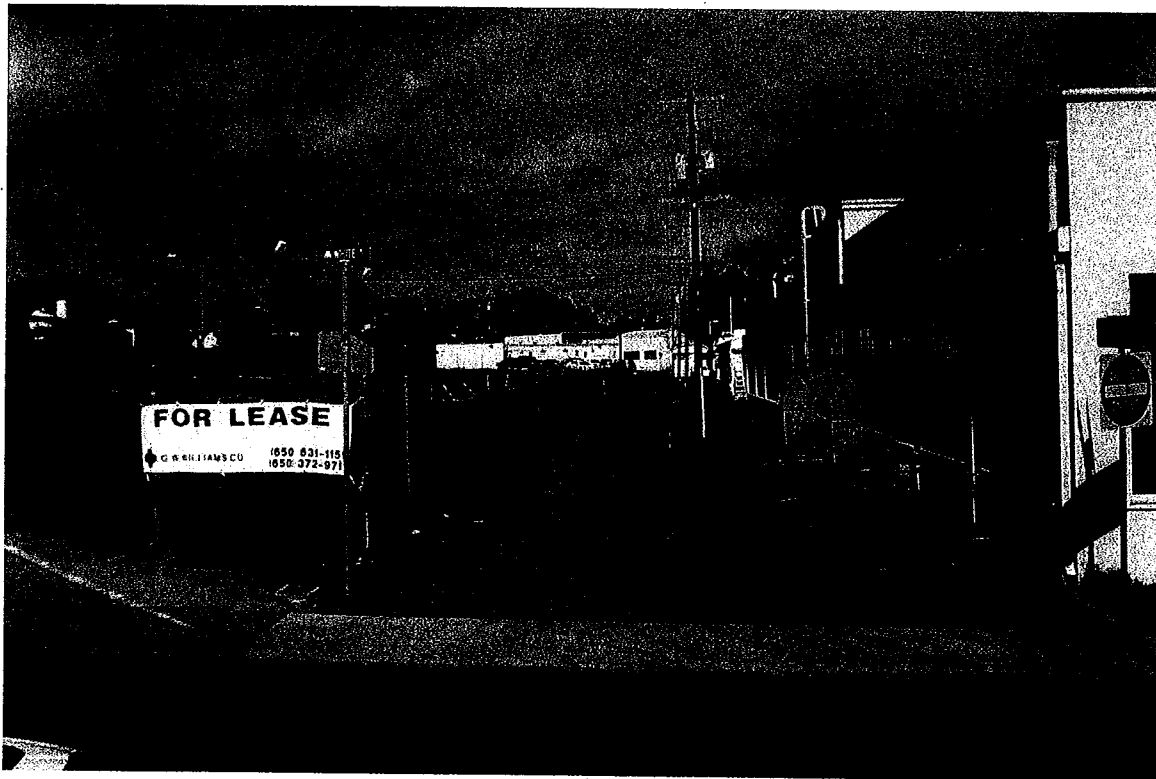


WEST VIEW

MELBODY TOYOTA  
-VEHICLE STORAGE  
777 KAINS AVENUE  
SAN BRUNO, CA



LIBRARY PARKING



WEST VIEW OF LOT

NEEDY 10/02  
- VEHICLE STORAGE  
777 KANSAS AVENUE  
SAN BRUNO, CA



WEST VIEW WITH LIBRARY PARKING



LIBRARY PARKING AND LOT

MELODY 10707A  
- VEHICLE STORAGE  
777 KANSAS AVENUE  
SAN BRUNO, CA



LINDEN AVENUE VIEW OF LOT



LINDEN AVENUE WITH NORTH VIEW  
OF LOT



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Perry Petersen  
Joe Sammut  
Sujendra Mishra

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. E8  
June 19, 2007**

**REQUEST**

Ordinance amendment pertaining to time limits of various land use permits for internal consistency purposes with Chapter 11.34 Time Limits for the completion of construction

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt Resolution No. 2007-02 recommending the City Council adopt the proposed ordinance amending section 12.128.010 pertaining to time limits of various land use permits.

**REVIEWING AGENCIES**

Community Development Department  
City Attorney

**EXHIBITS**

- A. Resolution No. 2007-02
- B. Proposed Ordinance Amending Chapter 12.84.010 "Time limits for land use permits"
- C. City Council Staff Report Regarding Building Permit Construction Time Limit Ordinance

**REQUIRED LEGAL NOTICE**

1. Advertisement published in the *San Mateo Daily Journal*, Saturday, June 9, 2007.

**ENVIRONMENTAL ASSESSMENT**

This Ordinance is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 5, Section 15305: Minor Alterations in Land Use Limitations.

**BACKGROUND**

The City Council recently reviewed and introduced the first reading of an ordinance pertaining to building permit construction time limits with the City of San Bruno. The staff report to Council regarding this code revision is attached to this staff report. In summary, when this ordinance goes in to effect, it will limit the amount of time a property owner has to complete a construction job. If construction job is not completed and final approval is not received within the prescribed time frame, the building permit would expire and the property owner could face penalties in accordance with the ordinance. The Planning Commission did not review the building code time limit ordinance because it did not pertain to the zoning code.

The Planning Commission is reviewing the attached ordinance amendment because there are certain provisions within the Zoning Code (Chapter 12) which pertain to planning entitlements (use permits, architectural review permits, etc.) and construction time limits. The attached ordinance amendment is simply revising the zoning code so that it is consistent with the recently adopted building code ordinance.

## **DISCUSSION**

The attached ordinance amends two lines within section 12.128.010 of the San Bruno Municipal Code:

- It adds a reference to the building permit construction time limit ordinance.
- It adds an ultimate timeframe of five years to certain planning entitlements. This basically means an applicant must obtain a building permit and finish construction within five years of Planning Commission or Architectural Review Committee approval.

## **FINDINGS**

1. The proposed zoning text amendments are all consistent with the General Plan of the City of San Bruno.
2. The request to amend the San Bruno Zoning Ordinance has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and the San Bruno environmental review procedures and this zoning text amendment is Categorically Exempt.
3. The proposed amendment related to time limits for land use permits will not be detrimental to the health, safety, morals, comfort and general welfare of the Citizens of San Bruno.

Date of Preparation: June 11, 2007

Prepared by: Aaron Akin, Community Development Director

PLANNING COMMISSION  
RESOLUTION NO. 2007 -2

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN  
BRUNO RECOMMENDING AMENDMENTS TO CHAPTER 12.128.010  
PERTAINING TO TIME LIMITS OF VARIOUS LAND USE PERMITS FOR  
INTERNAL CONSISTENCY PURPOSES WITH CHAPTER 11.34 TIME LIMITS  
FOR COMPLETION OF CONSTRUCTION.**

WHEREAS, a Notice of Public Hearing was duly posted and noticed for consideration of the zoning text revisions at the City of San Bruno Planning Commission meeting of June 19, 2007, and on said date, the Public Hearing opened, held and closed;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on the facts in the Staff Report, written and oral testimony, and exhibits presented, makes the following findings of facts in support of the proposed zoning text revisions:

1. The proposed zoning text amendments are all consistent with the General Plan of the City of San Bruno.
2. The request to amend the San Bruno Zoning Ordinance has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and the San Bruno environmental review procedures and this zoning text amendment is Categorically Exempt.
3. The proposed amendment related to time limits for land use permits will not be detrimental to the health, safety, morals, comfort and general welfare of the Citizens of San Bruno.

BE IT FURTHER RESOLVED that the Planning Commission of the City of San Bruno recommends that the attached additions, deletions, and revisions be made to the San Bruno Zoning Ordinance:

Dated: June 19, 2007

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Planning Commission Secretary  
Aaron Aknin

\_\_\_\_\_  
City Attorney  
Pamela Thompson

I, Aaron Akin, Planning Commission Secretary, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of San Bruno on this 19th day of June, 2007 by the following vote:

AYES: Commissioners: \_\_\_\_\_

NOES: Commissioners: \_\_\_\_\_

EXCUSED: Commissioners: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN BRUNO AMENDING SECTION 12.128.010  
PERTAINING TO TIME LIMITS OF VARIOUS LAND USE PERMITS FOR INTERNAL  
CONSISTENCY PURPOSES WITH CHAPTER 11.34 TIME LIMITS FOR COMPLETION OF  
CONSTRUCTION**

The City Council of the City of San Bruno Ordains as follows:

Section 1. Section 12.128.010 "Time Limit" is of the San Bruno Municipal Code is amended, by adding the text shown in bold italics (***example***) and deleting the text shown in ~~strikeout (example)~~, as follows:

**12.128.010 Time Limit**

Architectural review permits, use permits, planned unit permits, minor modifications, and variances shall become null and void if not exercised within one year, or in the case of a variance, one hundred eighty days, from the effective date of the approval thereon unless a greater period of time is authorized, or if either of following has been issued:

- A. A building permit, where construction has been started on the site, ~~and~~ diligently pursued toward completion, **and completed within the time limits set forth in Chapter 11.34**; or
- B. A certificate of occupancy for the site or structure for the subject property.

**Notwithstanding the foregoing, no architectural review permit, use permit, planned unit permit, minor modification, or variance shall extend beyond 5 years.**

Section 2. This ordinance is categorically exempt from the California Environmental Quality Act pursuant because it is not a project and there is not possibility that the ordinance may have a significant effect on the environment.

Section 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The City Council of the City of San Bruno hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 4. This Ordinance shall take effect and be in force 30 days after its adoption.

Section 5. The City Clerk shall publish this Ordinance according to law.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
City Attorney

---o0o---

I hereby certify that the foregoing Ordinance No.  
\_\_\_\_\_ was introduced on \_\_\_\_\_, 2007,  
and adopted at a regular meeting of the San Bruno  
City Council on \_\_\_\_\_, 2007, by the  
following vote:

AYES: COUNCILMEMBERS: \_\_\_\_\_

NOES: COUNCILMEMBERS: \_\_\_\_\_

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
City Clerk



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

**DATE:** June 12, 2007

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Pamela Thompson, City Attorney  
Aaron Aknin, Community Development Director

**SUBJECT:** Hold Public Hearing, Waive First Reading, And Introduce An Ordinance Adding Chapter 11.34 To Specify Time Limits For Completion Of Construction And Amending For Internal Consistency Purposes Chapter 11.04 Pertaining To The Building Code

### **BACKGROUND:**

The City's code does not provide definitive time limitations for construction projects. The City Council expressed concern that prolonged construction projects have caused negative impacts to the community and directed staff to work with an ad hoc committee (Ruane and Franzella) to draft an ordinance that would provide reasonable construction rules to encourage the completion of construction projects in a timely fashion

### **DISCUSSION:**

The following discussion provides an overview of the key provisions of the proposed ordinance including the substantive changes the City Council directed when it reviewed a preliminary draft of the ordinance on May 8, 2007, during a City Council meeting:

#### Life of the Permit

- Commercial and residential building permits are treated in the same manner, as per the City Council's direction.
- Depending on the valuation of the project, there is a construction time limit: 6 months, 12 months, 18 months, 24 months or 36 months. For example, a project valued at \$50,000 or less would receive a 6-month permit while a project over \$3 million would receive a 36-month permit.
- Pursuant to the City Council's concern, consideration was given to providing the valuation categories with an automatic increases to account for inflation, but a changing valuation scheme might provide less certainty in the process and leave the ordinance open to challenge. Instead, with the ad hoc committee's agreement, staff broadened the valuation categories in order to minimize the need to change the groupings over time.

#### Building Official Discretion

- In conformance with the City Council's direction that the Building Official should have some discretion to extend a permit, the ordinance now provides that the Building Official has authority to grant a six month extension.
- When the Building Official has discretion, an appeal process is desirable for due process purposes. Here, a person aggrieved by the Building Official's determination as to valuation or denial of a six-month extension may appeal to the Community Development Director.

#### Penalties

- When the construction time limit is exceeded, the building permit becomes null and void.
- Daily penalties accrue when the construction time limit is exceeded starting at \$200 a day and accruing to a maximum of \$250,000 total.

#### Deposit Against Penalties

- A permittee is required to make a deposit with the City against potential penalties.
- Rather than burden all owners with a deposit when pulling a building permit, the City will require (as the City Council suggested) a deposit at the point a building permit must be renewed. Thus, only those owners who violate the construction time limit would be required to provide a deposit.
- The amount of the deposit is 2% of the building valuation, and at the suggestion of the City Council, now has a limit of \$250,000 in conformance with the \$250,000 maximum penalty.

#### Penalty Avoidance

- Owner may avoid penalties even when construction has not been done on time by either of two methods -- 1) establishing that circumstances beyond his control delayed construction or 2) by entering into compliance agreement with a new mutually agreed upon construction deadline.

#### Delay Due to Circumstances Beyond Owner's Control

- An owner may establish a good reason to be excused from the penalty by filing a statement with the Building Official *before permit expiration* that construction delays were due to circumstances beyond his control.
- The City Council directed that the ordinance broaden the extenuating circumstances that would allow an owner to be excused from penalties for failing to construct on time because it is difficult to predict all the situations that might establish good cause (contractors walks of the job, family emergency). Now, the ordinance states only those reasons that are not legally acceptable reasons for delay (winter rainy season, stop work orders, design changes, custom or imported material problems, supplier problems, and project financing delays) but leaves open all other reasons for consideration.

#### Compliance Plan

- An owner who fails to complete construction on time for any reason may also avoid penalties by entering into a voluntary compliance plan that provides for an agreed construction deadline.

#### Notice To Permit Holders

- The City Council also suggested that in order to ensure proper notice owners and contractors should sign a City-prepared summary of the terms and conditions of the new law. Community Development prepared a draft which is attached to this report.

**FISCAL IMPACT:**

None.

**ALTERNATIVES:**

1. Direct staff to make changes to the proposed ordinance.
2. Do not adopt the proposed ordinance.

**RECOMMENDATION:**

Hold Public Hearing, Waive First Reading, And Introduce An Ordinance Adding Chapter 11.34 To Specify Time Limits For Completion Of Construction And Amending For Internal Consistency Purposes Chapter 11.04 Pertaining To The Building Code

**DISTRIBUTION:**

None.

**ATTACHMENTS:**

Draft ordinance  
Draft counter handout

**DATE PREPARED:**

May 17, 2007